

Have carefully compared same and find it correctly enrolled, and have this day at 4:05 o'clock p. m., presented same to the Governor for his approval.  
HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 8, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 600, "An Act to amend Chapter 18, of the Local and Special Laws, passed at the Regular Session of the Thirtieth Legislature and the same being an act to create the Tulia Independent School District in Swisher county, Texas, adding thereto Section 6a, validating bond elections heretofore held and bonds issued thereunder, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 4:05 o'clock p. m., presented same to the Governor for his approval.  
HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 6, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 610, "An Act to amend Section 1, of Chapter 3, Local and Special Laws, Third Called Session, Thirty-sixth Legislature, amending and revising the metes and bounds of the Moran Independent School District in Shackelford and Callahan counties, Texas, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 4:05 o'clock p. m., presented same to the Governor for his approval.  
HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 7, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 25, Fixing date of adjournment sine die,

Have carefully compared same and find it correctly enrolled.

HENDRICKS, Chairman.

# FORTY-SECOND DAY.

(Friday, March 9, 1923.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	Jacks.
Amsler.	Jennings.
Arnold.	Kemble.
Atkinson.	Lackey.
Avis.	Laird.
Baker of Milam.	Lamb.
Baker of Orange.	Lane.
Barker.	LeMaster.
Barrett.	LeStourgeon.
Beasley.	Lewis.
Bell.	Loftin.
Bird.	Looney.
Blount.	McBride.
Bobbitt.	McDaniel.
Bonham.	McDonald.
Brady.	McFarlane.
Bryant.	McKean.
Burmeister.	McNatt.
Cable.	Martin.
Carpenter	Mathes.
of Dallas.	Maxwell.
Carpenter	Melson.
of Matagorda.	Merritt.
Carson.	Montgomery.
Carter of Hays.	Moore.
Chitwood.	Morgan
Coffee.	of Robertson.
Collins.	Pate.
Covey.	Patman.
Cowen.	Patterson.
Crawford.	Perdue.
Davenport.	Pinkston.
Davis.	Potter.
DeBerry.	Purl.
Dinkle.	Quaid.
Dodd.	Rice.
Downs.	Robinson.
Driggers.	Rogers.
Duffey.	Rountree.
Dunlap.	Russell
Dunn.	of Callahan.
Durham.	Russell of Trinity.
Edwards.	Sackett.
Faubion.	Sanford.
Fields.	Satterwhite.
Gipson.	Shearer.
Hardin of Erath.	Shires.
Hardin	Simpson.
of Kaufman.	Smith.
Harrington.	Sparkman.
Harris.	Stell.
Henderson	Stewart
of Marion.	of Edwards.
Howeth.	Stewart of Jasper.
Hughes.	Stewart of Reeves.
Irwin.	Stiernberg.

Storey.  
Stroder.  
Sweet.  
Teer.  
Thompson.  
Thrasher.  
Turner.  
Wallace.

Wells.  
Westbrook.  
Wessels.  
Wilmons.  
Wilson.  
Winfree.  
Young.

Absent.

Baldwin.  
Culp.  
Dielmann.  
Finlay.  
Fugler.  
Green.  
Henderson  
of McLennan.  
Hendricks.  
Hull.

Jones.  
Miller.  
Morgan  
of Liberty.  
Pool.  
Pope.  
Price.  
Quinn.  
Stevens.  
Williamson.

Absent—Excused.

Carter of Coke.  
Frnka.  
Greer.  
Houston.  
Johnson.

Lusk.  
Merriman.  
Rowland.  
Strickland.  
Vaughan.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

#### LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Bobbitt, for today, on motion of Mr. Arnold.

Mr. Carter of Coke, for today and tomorrow, on motion of Mr. Carson.

Mr. Houston, for today, on motion of Mr. Arnold.

The following members were granted leaves of absence on account of sickness:

Mr. Vaughan, for today and tomorrow, on motion of Mr. Henderson of McLennan.

Mr. Johnson, for today, on motion of Mr. Brady.

#### HOUSE BILL ON FIRST READING.

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. McFarlane:

H. B. No. 695, A bill to be entitled "An Act reorganizing and adjusting the time of holding court in the Thirtieth Judicial District and fixing the times of holding court in the respective counties composing this district; and mak-

ing all process, writs and bonds returnable to the next regular term thereof, as fixed by this act, and repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Judicial Districts.

#### SENATE BILLS ON FIRST READING.

The following Senate bills were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 239, to the Committee on Public Lands and Buildings.

Senate bill No. 70, to the Committee on State Affairs.

Senate bill No. 430, to the Committee on School Districts.

#### RELATING TO LETTERS OF STEPHEN F. AUSTIN.

Mr. Price offered the following resolution:

H. C. R. No. 30, Relating to letters of Stephen F. Austin.

Resolved by the House of Representatives, the Senate concurring, That

Whereas, It has come to the attention of Judge John W. Gaines, now a resident of Bexar county, Texas, and formerly a resident of Matagorda county, Texas, that there are in the custody of the county clerk of Matagorda county several letters written by Stephen F. Austin while he was a prisoner in Mexico; and

Whereas, These letters are original sources of information with reference to the early history of Texas and constitute valuable historical data; and

Whereas, These letters ought to be preserved for the benefit of future generations of Texans; therefore, be it

Resolved, That the House of Representatives, the Senate concurring, do hereby authorize the said John W. Gaines to secure these papers from the commissioners court of Matagorda county, and that he place said letters in the hands of the Daughters of the Republic and of the Confederacy, so that the same may be preserved in the State Museum, or other suitable repository.

The resolution was read second time and was adopted.

#### MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, March 9, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to

inform the House that the Senate has passed

H. B. No. 375, A bill to be entitled "An Act creating the Carbon Independent School District in Eastland county, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges, duties and liabilities now conferred and imposed by the general laws of Texas upon independent school districts, and the board of trustees thereof; declaring that all taxes or bonds heretofore authorized by any former school district included within the bounds thereof shall remain in full force and effect, and declaring an emergency."

H. B. No. 425, A bill to be entitled "An Act to amend Chapter 2 of Title 104 of the Revised Civil Statutes of 1911, as amended by Chapter 32, General Laws, First Called Session, Thirty-fifth Legislature, pertaining to the management and control of the Prison System of this State, by adding thereto another article to be known as Article 6231b, so as to exempt the Board of Prison Commissioners, and the members thereof, from giving or making any cost bond, appeal bond, supersedeas bond, writ of error bond, or other bond or security in any civil suit or action heretofore or hereafter brought by or against it, or them, and declaring an emergency."

H. B. No. 495, A bill to be entitled "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes of Texas, 1911, as amended by Chapter 72, General Laws of the Thirty-third Legislature, and Chapters 26 and 99, General Laws of the Thirty-fourth Legislature, and Chapter 131, General Laws of the Thirty-fifth Legislature, and Chapter 10 of the Third Called Session of the Thirty-fifth Legislature, and Chapter 13 of the Fourth Called Session of the Thirty-fifth Legislature, and Chapter 35 of the Acts of the Regular Session of the Thirty-sixth Legislature, and Chapter 105 of the Acts of the Regular Session of the Thirty-sixth Legislature, and Chapter 50 of the General Laws of the Third Called Session of the Thirty-sixth Legislature, and Chapter 32 of the General Laws of the Regular Session of the Thirty-seventh Legislature, with reference to the mode of preventing horses and certain other animals from running at large in the counties named, so as to include Leon county," with amendments.

H. B. No. 502, A bill to be entitled "An Act to authorize the commissioners courts of Hudspeth and Culberson counties, Texas, to make contracts not in excess of seventy-five dollars per month for services to be performed by the district attorney of the Thirty-fourth Judicial District of Texas."

H. B. No. 537, A bill to be entitled "An Act to provide for the designation of district judges to hold special terms of court in the various judicial districts in the State when accumulation or urgency of business of the public interest justify or require such designation; providing for the manner of designation, and providing further for the appointment of a clerk by the Supreme Court, prescribing his duties and fixing his salary; and prescribing the manner in which reports shall be made by the various district courts to the Supreme Court showing the condition of the dockets of the various district courts, and declaring an emergency."

H. B. No. 551, A bill to be entitled "An Act amending Section 2 of Chapter 72, of the Local and Special Laws of the State of Texas, passed by the Thirty-eighth Legislature at its Regular Session, said act being an act creating the Tynan Independent School District in Bee county, San Patricio and Live Oak counties, Texas; said act being amended by changing boundaries of said district set out in Section 2 thereof, and declaring an emergency."

H. B. No. 616, A bill to be entitled "An Act creating the Union Hill Independent School District in Swisher county, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the election of its first board of trustees and their successors; providing for the appointment of a board of equalization, and tax assessor and collector for said district, and declaring an emergency."

H. B. No. 644, A bill to be entitled "An Act correcting the boundaries of the present Hale Center Independent School District; providing for payment of bonds issued by the present district, and declaring an emergency."

H. B. No. 651, A bill to be entitled "An Act to create the Denson Independent School District in Williamson county, Texas, including the present Denson School District of said county;

providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights and powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing that the board of trustees of the present Denson School District shall continue to act as such until their successors are elected and qualified in accordance with the general laws of Texas, and declaring an emergency."

H. B. No. 652, A bill to be entitled "An Act to create the Knox City Independent School District in Knox county, Texas, including the present Knox City District of said county; providing for a board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing that the board of trustees of the present Knox City District shall continue to act as such until their successors are elected in accordance with the general laws of Texas; providing for the extension of the boundaries of said district, and declaring an emergency."

H. B. No. 660, A bill to be entitled "An Act creating and incorporating Lakeview Independent School District in Dawson county, Texas, out of territory now comprising Lakeview Common School District No. 25; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualification, powers, duties and authority; authorizing the board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds; providing for an assessor and collector of taxes and a board of equalization; providing that said Lakeview Independent School District shall assume and discharge any and all bonds and other indebtedness constituting valid and binding obligations of said Lakeview Common School District No. 25 of Dawson county; validating and continuing in force any and all taxes heretofore voted and now in force in such common school district; providing that title to any and all property of said common school district shall vest in the trustees of independent school district hereby created; providing for filling vacancies on the board of trustees; providing for a seal for said district; providing that the board of trustees shall be governed by the general laws of Texas in all matters where this act is silent; repealing all laws in conflict herewith; providing

that invalidation by the courts of any section or provision of this act shall not invalidate any remaining provisions hereof, and declaring an emergency."

S. B. No. 369, A bill to be entitled "An Act to provide that county judges may authorize the payment of premiums on bonds of guardians, administrators or executors where such bonds are made by approved surety companies out of the estate being administered by such guardians, administrators or executors," with engrossed riders.

S. B. No. 429, A bill to be entitled "An Act to amend an act passed by the Thirty-fourth Legislature of Texas at its Regular Session and approved February 18, 1915, which act was House bill No. 177, Chapter 17, of the said session of the said Legislature, amending Sections 26 and 53 of Article 30, of the Revised Civil Statutes of Texas, 1911, to reorganize the Twenty-sixth Judicial District of Texas; to abolish the criminal district court of Travis and Williamson counties; to create the Ninety-sixth Judicial District of Texas; to fix and define the jurisdiction of the Twenty-sixth, Fifty-third and Ninety-sixth Judicial Districts of Texas; to fix the time for holding of courts in each of the said judicial districts; to provide for the organization of grand juries in each of the courts held in the said judicial districts; to provide for a district attorney for the counties of Travis and Williamson, and fixing his compensation; to provide for the transfer of the causes pending on the docket of the said criminal district court in Williamson county to the Twenty-sixth Judicial District court, and for the transfer of all cases on the docket of the said criminal district court in Travis county to the Fifty-third and Ninety-sixth Judicial District courts; to provide for the election of a judge for the Ninety-sixth Judicial District court; to provide for the appointment of court reporters for the Twenty-sixth, Fifty-third and Ninety-sixth Judicial Districts; to conform and validate all writs, process, bonds, recognizances, judgments, orders of the said criminal district court, transferred hereunder, and the drawing of grand and petit juries in conformance with the changes herein made; to fix the time that this act shall take effect, and to repeal all laws and parts of laws in conflict herewith."

The Senate has granted the request of the House for a free conference committee on House bill No. 328 and the following are appointed on behalf of the

Senate: Senators Baugh, McMillin, Bailey, Strong and Wood.

Respectfully,  
**RICHARD BLALOCK,**  
 Assistant Secretary of the Senate.

**PROVIDING FOR COMMITTEE TO  
 MAKE SURVEY OF PRISON  
 SYSTEM.**

Mr. Miller offered the following resolution:

H. C. R. No. 31, Providing for committee to make prison system survey.

Whereas, It has been shown that during a regular session of any Legislature no committee is able to do the work necessary to make a complete survey of the State prison system; and

Whereas, It is necessary for a scientific survey in order to arrive at a solution of the difficulties which now exist and to suggest the proper remedies; and

Whereas, It is a Democratic platform demand that such survey be made; and

Whereas, The Texas Prison Committee has agreed to undertake the financing of such survey; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That we authorize the Texas Prison Committee—a division of the National Committee on Prison and Prison Labor—to make, without cost to the State, a scientific survey of the prison system of Texas, and that said committee be authorized to call to its assistance such experts as it may desire to assist in the making of said survey.

Be it further resolved, That we request the said committee to have printed the results of said survey to the end that the citizenship of this State and the members of succeeding Legislatures be advised of the recommendations that point the way for securing a modern and efficient prison system of this State.

Signed—Miller, Durham, Culp, Satterwhite, Lackey, Quaid, Moore, Dodd, Patman, Purl, Beasley, Martin, Russell of Callahan, Thrasher, Montgomery, Bobbitt, Mathes, Kemble, Blount, Wells, Hull, Hardin of Erath, Fugler, Rountree, Coffee, Wallace, Carpenter of Dallas, Teer, Westbrook, Young, Edwards, Bell, Bonham, Faubion, Smith, Dunlap, Price, Henderson of Marion, Shires, Le-Sturgeon, Wilson, Baker of Orange, Jacks, Harris, Hughes, Cowen.

The resolution was read second time.

On motion of Mr. Satterwhite, the resolution was referred to the Committee on Penitentiaries.

**MEMORIALIZING PRESIDENT  
 HARDING.**

The Speaker laid before the House, for consideration at this time, a resolution, offered on yesterday by Mr. Le-Sturgeon, memorializing President of the United States.

The resolution having been read second time on yesterday and referred to the Committee on Common Carriers.

The Speaker laid the resolution before the House with the following substitute recommended by the committee:

Whereas, On July 1, 1922, about 400,000 railway shopmen went on strike in the United States (as a legislative body, the reasons for which we neither condemn nor condone), and which strike vitally affected and stagnated the commerce of the United States; and

Whereas, On July 31, 1922, you offered your good office as mediator to end the industrial dispute between the shopmen and the railroad managements, offering terms of settlement, and stated to the federated shop crafts that if they would accept same and the railroad managers should refuse, you would carry your position to the American people; and

Whereas, It seems that at that time your efforts were unavailing, and that said strike is not ended at this time; therefore, be it

Resolved, That on behalf of the people of Texas and the various industries therein, that we urgently request that you again use your good office to bring about a settlement of this industrial struggle. Be it further

Resolved, That a copy of this resolution be furnished to each United States Senator and each Congressman from this State.

Question recurring on the substitute, it was adopted.

Question then recurring on the resolution as substituted, it was adopted.

**MESSAGE FROM THE GOVERNOR.**

Mr. R. B. Walthall, Secretary to the Governor, appeared at the bar of the House on yesterday, and being duly announced, presented the following message from the Governor, which was read to the House today, as follows:

Governor's Office,  
 Austin, Texas, March 8, 1923.

To the House of Representatives, Thirty-eighth Legislature.

Gentlemen: I am returning herewith to you, with my disapproval and veto, House bill No. 294. This bill provides

for the creation of a new and additional district court for Texas to be designated as the One Hundredth Judicial District.

First. We have at this time entirely too many district courts in Texas. A considerable number of our courts now in existence have but little to do. Certainly we should be slow to create new courts while many of those we already have do not have sufficient work to do. There is no private enterprise anywhere in Texas which would employ additional help to do a particular kind of work while many of those already in the employ of the institution did not have enough work to do to occupy their time. The private institution would readjust matters so that the employes would be kept reasonably busy with the work assigned them. It is conservatively estimated that the running expenses, directly connected with and incident to the operation of a district court, are approximately \$25,000 a year. There are now pending in the Legislature, or have already been enacted into law, some fifteen or more bills creating that number of new district courts in Texas. All these bills will probably pass and come to my desk for consideration. The proponents of each particular bill think that their court, above all courts, is an absolute necessity. Scarcely any of the respective districts need, if anything, more than temporary relief.

Second. For the purpose of giving temporary relief it is neither wise nor necessary to establish a permanent court. When a court has been once established it seems absolutely impossible at any time to abolish it; courts and public offices once created seem to run on forever.

Two bills now pending before the Legislature, one providing for exchange of benches and the other providing for five district courts for all Texas, will give, according to the judgment of those who have considered the question, necessary relief, not only in a few particular cases in Texas, but throughout the entire State. We presume these two bills will pass both the House and the Senate within the next few days. These two contemplated laws, when put into operation, will, together, relieve, where crowded, both the civil and the criminal dockets of Texas.

Third. To say the least, if it is imperative that the district courts of the counties mentioned in this bill be given temporary aid, the two proposed laws above mentioned would accomplish this;

and when the next Regular Session of the Legislature convenes, if it were found that such aid has not been sufficient to relieve the congested condition of the court dockets, the State could then go to the expense of creating another permanent district court for the counties composing this new judicial district. The fact that there may be a large number of cases on a court docket does not necessarily mean that the courts need temporary relief, nor does it always indicate that the court is kept busy trying cases. All of us who have practiced law to any extent realize the truth of this statement.

Believing that it would be unwise and not in keeping with the principles of strict and rigid economy to create another permanent district court in Texas, when we have at this time, conservatively stated, about twenty more district courts than we need, I am returning herewith to you with my veto, this bill that seeks, following others of similar nature, to create courts and offices that are not needed.

Respectfully,

PAT M. NEFF,  
Governor.

#### CONSIDERATION OF VETO OF HOUSE BILL NO. 294.

Mr. Young called up for consideration at this time,

H. B. No. 294, "An Act to reorganize the Forty-sixth and Forty-seventh Judicial Districts and to create the One Hundredth Judicial District of the State of Texas, and for the appointment of the district judge and district attorney for said One Hundredth Judicial District; providing for holding the district courts and the terms thereof in the Forty-sixth, Forty-seventh and One Hundredth Judicial Districts, respectively, and providing that all process and writs heretofore issued, and all recognizances and bonds heretofore made and executed and returnable to existing terms of district court in the counties composing said districts, together with jurors heretofore selected, are valid and returnable to the first term of said court after this act takes effect, and providing for the continuation of the existing district courts in said counties in session when this act takes effect, to the end of their terms; repealing all conflicting laws, and declaring an emergency."

The bill having been received from the Governor on yesterday notifying the House of his disapproval of same.

Mr. Young moved that the bill be passed notwithstanding the objection of the Governor.

Question—Shall the bill be passed?

The Clerk was directed to call the roll, and the bill was passed by the following vote:

## Yeas—83.

Abney.	Jennings.
Amsler.	Jones.
Arnold.	Kemble.
Avis.	Lane.
Baker of Milam.	LeSturgeon.
Baker of Orange.	Loftin.
Barrett.	McDaniel.
Beasley.	McDonald.
Bell.	McFarlane.
Bobbitt.	McNatt.
Brady.	Martin.
Bryant.	Mathes.
Burmeister.	Maxwell.
Cable.	Merritt.
Carpenter	Miller.
of Dallas.	Moore.
Carson.	Morgan
Chitwood.	of Robertson.
Collins.	Patman.
Covey.	Patterson.
Crawford.	Pool.
Culp.	Potter.
Davenport.	Purl.
Dielmann.	Quaid.
Dinkle.	Quinn.
Dodd.	Robinson.
Duffey.	Rogers.
Dunlap.	Rountree.
Dunn.	Russell
Edwards.	of Callahan.
Finlay.	Sanford.
Fugler.	Satterwhite.
Gipson.	Shires.
Green.	Simpson.
Greer.	Stell.
Hardin of Erath.	Stewart of Reeves.
Hardin	Stiernberg.
of Kaufman.	Storey.
Henderson	Stroder.
of Marion.	Teer.
Henderson	Wells.
of McLennan.	Wessels.
Hughes.	Wilmans.
Hull.	Wilson.
Irwin.	Young.
Jacks.	

## Nays—27.

Atkinson.	Fields.
Bird.	Hendricks.
Blount.	Howeth.
Carpenter	Laird.
of Matagorda.	Lamb.
Carter of Hays.	LeMaster.
Cowen.	Looney.
Driggers.	McKean.
Faubion.	Perdue.

Rice.	Stewart of Jasper.
Russell of Trinity.	Sweet.
Sackett.	Thompson.
Sparkman.	Thrasher.
Stevens.	Westbrook.

## Present—Not Voting.

Coffee.	Stewart
DeBerry.	of Edwards.
Pinkston.	Absent.
Baldwin.	Montgomery.
Barker.	Morgan
Bonham.	of Liberty.
Davis.	Pate.
Downs.	Pope.
Durham.	Price.
Harrington.	Shearer.
Harris.	Smith.
Lackey.	Turner.
Lewis.	Vaughan.
McBride.	Wallace.
Melson.	Winfree.

## Absent—Excused.

Carter of Coke.	Merriman.
Frnka.	Rowland.
Houston.	Strickland.
Johnson.	Williamson.
Lusk.	

Mr. Young moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

## CONFERENCE COMMITTEE ON SENATE BILL NO. 40.

Mr. Shearer called up from the Speaker's table, for consideration at this time, the request of the Senate for a Free Conference Committee on Senate bill No. 40.

The Speaker laid the request of the Senate before the House.

Question — Shall the request be granted?

Mr. Shearer moved that the request be granted.

The motion prevailed.

In accordance with the above action the Speaker announced the appointment of the following Free Conference Committee on the part of the House on Senate bill No. 40:

Messrs. Shearer, LeSturgeon, Dielmann, Bell and Carpenter of Dallas.

## BILL RECOMMITTED.

On motion of Mr. Stewart of Reeves, Senate bill No. 267 was recommitted to the Committee on Conservation and Reclamation.

HOUSE BILL NO. 8 ON THIRD  
READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 8, A bill to be entitled "An Act to amend Section 1 of Chapter 86 of the Regular Session of the Thirty-sixth Legislature, amending Section 2 of House bill No. 25 passed by the Thirty-third Legislature at the Regular Session and approved April 7, 1913, relating to prorating the appropriation for Confederate pensions among the pensioners; to provide that women who were wives of Confederate soldiers or sailors and who after the death of such soldiers or sailors have remarried, but who have been separated from or abandoned by their husbands and living apart from them for a period of three years next prior to her application for a pension, and who are in indigent circumstances, may be eligible to the grant of a pension, and declaring an emergency."

The bill was read third time and was passed.

HOUSE JOINT RESOLUTION NO. 22  
ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. J. R. No. 22, Submitting to the people an amendment to the Constitution of Texas limiting the power of the Legislature to levy an ad valorem tax not to exceed thirty-five cents on the one hundred dollar valuation for school purposes, and five cents for pension purposes, and for the exemption of payment of the ad valorem tax or any other tax on property or privilege upon which a special tax or any other tax is levied; providing that the Legislature cannot exempt from the payment of the ad valorem tax real property, tangible personal property (not including money or credits), and railroad properties (not including intangible values of same), the situs of said property for local taxation purposes to be governed by act of Legislature; said amendment to be effective on or after January 1, 1923.

The resolution was read third time and failed to pass by the following vote:

## Yeas—77.

Abney.	Bobbitt.
Arnsler.	Bonham.
Arnold.	Bryant.
Atkinson.	Cable.
Barker.	Carpenter
Beasley.	of Matagorda.
Bird.	Carson.

Chitwood.  
Coffee.  
Crawford.  
Davenport.  
Davis.  
DeBerry.  
Dielmann.  
Dinkle.  
Dodd.  
Driggers.  
Dunn.  
Edwards.  
Faubion.  
Greer.  
Hardin of Erath.  
Hardin  
of Kaufman.  
Harrington.  
Harris.  
Henderson  
of Marion.  
Henderson  
of McLennan.  
Hendricks.  
Howeth.  
Hughes.  
Kemble.  
Laird.  
Looney.  
McBride.  
McDaniel.  
McDonald.  
McNatt.  
Martin.  
Mathes.

Merritt.  
Miller.  
Moore.  
Morgan  
of Robertson.  
Patman.  
Perdue.  
Pinkston.  
Quinn.  
Rice.  
Robinson.  
Rogers.  
Russell  
of Callahan.  
Sackett.  
Sanford.  
Shires.  
Simpson.  
Sparkman.  
Stell.  
Stevens.  
Stewart  
of Edwards.  
Stewart of Reeves.  
Stiernberg.  
Stroder.  
Sweet.  
Teer.  
Thompson.  
Thrasher.  
Wallace.  
Wells.  
Westbrook.  
Wilmons.  
Wilson.

## Nays—28.

Avis.	Lewis.
Baker of Milam.	McFarlane.
Barrett.	McKean.
Brady.	Maxwell.
Carpenter	Patterson.
of Dallas.	Pool.
Collins.	Potter.
Culp.	Purl.
Downs.	Quaid.
Gipson.	Russell of Trinity.
Irwin.	Shearer.
Jacks.	Smith.
Jennings.	Stewart of Jasper.
Lamb.	Wessels.
LeMaster.	Winfree.
LeSturgeon.	

## Present—Not Voting.

Carter of Hays.

## Absent.

Baker of Orange.	Dunlap.
Baldwin.	Durham.
Bell.	Fields.
Blount.	Finlay.
Burmeister.	Fugler.
Covey.	Green.
Cowen.	Houston.
Duffey.	Hull.



Jones.	Pope.
Lackey.	Price.
Lane.	Rountree.
Loftin.	Satterwhite.
Melson.	Storey.
Montgomery.	Turner.
Morgan	Vaughan.
of Liberty.	Young.
Pate.	

Absent—Excused.

Carter of Coke.	Merriman.
Frnka.	Rowland.
Johnson.	Strickland.
Lusk.	Williamson.

HOUSE JOINT RESOLUTION NO. 24  
ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. J. R. No. 24, Amending Article 16 of the Constitution of Texas by adding thereto a new section designated as Section 61, giving to the Legislature power and authority to provide pensions for firemen and policemen; providing for submission of resolution to voters of Texas, and making appropriation therefor.

The resolution was read third time and failed to pass by the following vote:

Yeas—75.

Abney.	Henderson
Amsler.	of Marion.
Arnold.	Hendricks.
Avis.	Irwin.
Baker of Milam.	Jacks.
Beasley.	Kemble.
Bobbitt.	Laird.
Brady.	Lamb.
Bryant.	LeStourgeon.
Burmeister.	Lewis.
Carpenter	Looney.
of Dallas.	McBride.
Carpenter	McDaniel.
of Matagorda.	McDonald.
Carson.	McNatt.
Chitwood.	Martin.
Collins.	Miller.
Crawford.	Morgan
Culp.	of Robertson.
Davenport.	Patterson.
DeBerry.	Perdue.
Dielmann.	Pool.
Dinkle.	Potter.
Dodd.	Purl.
Downs.	Quaid.
Dunn.	Quinn.
Faubion.	Robinson.
Fields.	Rogers.
Green.	Russell
Greer.	of Callahan.
Hardin of Erath.	Sackett.
Harrington.	Sanford.
Harris.	Satterwhite.

Shearer.	Sweet.
Simpson.	Teer.
Sparkman.	Thrasher.
Stevens.	Turner.
Stewart	Wallace.
of Edwards.	Wilmans.
Stewart of Jasper.	Winfree.
Stroder.	Young.

Nays—27.

Barrett.	McKean.
Bird.	Mathes.
Bonham.	Maxwell.
Cable.	Merritt.
Coffee.	Pinkston.
Cowen.	Rice.
Davis.	Russell of Trinity.
Henderson	Smith.
of McLennan.	Stell.
Howeth.	Stiernberg.
Hughes.	Thompson.
Jennings.	Westbrook.
LeMaster.	Wessels.
McFarlane.	Wilson.

Absent.

Atkinson.	Jones.
Baker of Orange.	Lackey.
Baldwin.	Lane.
Barker.	Loftin.
Bell.	Melson.
Blount.	Montgomery.
Carter of Hays.	Moore.
Covey.	Morgan
Driggers.	of Liberty.
Duffey.	Pate.
Dunlap.	Patman.
Durham.	Pope.
Edwards.	Price.
Finlay.	Rountree.
Fugler.	Shires.
Gipson.	Stewart of Reeves.
Hardin	Storey.
of Kaufman.	Vaughan.
Houston.	Wells.
Hull.	

Absent—Excused.

Carter of Coke.	Merriman.
Frnka.	Rowland.
Johnson.	Strickland.
Lusk.	Williamson.

SENATE BILL NO. 191 ON SECOND  
READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 191, A bill to be entitled "An Act authorizing the incorporation of mutual hail insurance companies; regulating the business of such companies; providing for the investment of the reserve funds of such companies; requiring annual reports; fixing the fees to be paid by such companies, and declaring an emergency."

The bill was read second time and was passed to third reading.

# SENATE BILL NO. 191 ON THIRD READING.

Mr. Potter moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 191 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—94.

Mr. Speaker.	Hughes.
Abney.	Hull.
Amsler.	Irwin.
Arnold.	Kemble.
Atkinson.	Laird.
Avis.	Lamb.
Baker of Orange.	LeMaster.
Barker.	LeStourgeon.
Beasley.	Lewis.
Bobbitt.	McBride.
Bonham.	McFarlane.
Brady.	McNatt.
Bryant.	Martin.
Burmeister.	Mathes.
Carpenter	Merritt.
of Dallas.	Miller.
Carpenter	Morgan
of Matagorda.	of Robertson.
Carson.	Perdue.
Carter of Hays.	Pinkston.
Chitwood.	Potter.
Coffee.	Purl.
Collins.	Quinn.
Covey.	Rice.
Cowen.	Robinson.
Crawford.	Rogers.
Culp.	Russell
Davenport.	of Callahan.
Davis.	Russell of Trinity.
Dielmann.	Sackett.
Dinkle.	Sanford.
Dodd.	Satterwhite.
Downs.	Shearer.
Driggers.	Simpson.
Dunlap.	Smith.
Dunn.	Stell.
Faubion.	Stevens.
Fields.	Stewart
Gipson.	of Edwards.
Green.	Stroder.
Greer.	Sweet.
Hardin of Erath.	Teer.
Hardin	Thompson.
of Kaufman.	Turner.
Harrington.	Wells.
Henderson	Westbrook.
of Marion.	Wessels.
Henderson	Wilmans.
of McLennan.	Wilson.
Hendricks.	Winfree.
Howeth.	Young.

Nays—6.

Barrett.	McKean.
Jennings.	Patterson.
McDaniel.	Stewart of Jasper.

Absent.

Baker of Milam.	Melson.
Baldwin.	Montgomery.
Bell.	Moore.
Bird.	Morgan
Blount.	of Liberty.
Cable.	Pate.
DeBerry.	Patman.
Duffey.	Pool.
Durham.	Pope.
Edwards.	Price.
Finlay.	Quaid.
Fugler.	Rountree.
Harris.	Shires.
Jacks.	Sparkman.
Jones.	Stewart of Reeves.
Lackey.	Stiernberg.
Lane.	Storey.
Loftin.	Thrasher.
Looney.	Vaughan.
McDonald.	Wallace.
Maxwell.	

Absent—Excused.

Carter of Coke.	Merriman.
Frnka.	Rowland.
Houston.	Strickland.
Johnson.	Williamson.
Lusk.	

The Speaker then laid Senate bill No. 191 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—102.

Abney.	Covey.
Amsler.	Cowen.
Arnold.	Crawford.
Atkinson.	Culp.
Avis.	Dielmann.
Baker of Milam.	Dinkle.
Baker of Orange.	Dodd.
Barker.	Driggers.
Barrett.	Dunn.
Beasley.	Faubion.
Bell.	Fields.
Bird.	Fugler.
Bobbitt.	Gipson.
Bonham.	Green.
Brady.	Greer.
Bryant.	Hardin of Erath.
Carpenter	Hardin
of Dallas.	of Kaufman.
Carpenter	Harrington.
of Matagorda.	Henderson
Carter of Hays.	of Marion.
Chitwood.	Henderson
Coffee.	of McLennan.
Collins.	Hendricks.

Howeth.	Rice.
Hughes.	Robinson.
Hull.	Rogers.
Irwin.	Rountree.
Jacks.	Russell
Jones.	of Callahan.
Kemble.	Russell of Trinity.
Laird.	Sackett.
Lamb.	Sanford.
Lane.	Satterwhite.
LeMaster.	Shearer.
LeSturgeon.	Simpson.
Lewis.	Smith.
McBride.	Sparkman.
McDaniel.	Stell.
McDonald.	Stevens.
McFarlane.	Stewart
McNatt.	of Edwards.
Martin.	Stewart of Jasper.
Mathes.	Stiernberg.
Merritt.	Stroder.
Miller.	Sweet.
of Liberty.	Teer.
Morgan	Thompson.
of Robertson.	Thrasher.
Perdue.	Turner.
Pinkston.	Wells.
Pool.	Westbrook.
Pope.	Wessels.
Potter.	Wilmaans.
Purl.	Wilson.
Quaid.	Winfree.
Quinn.	

Nays—5.

Cable.	Jennings.
Davis.	Looney.
Downs.	

Present—Not Voting.

Harris.

Absent.

Baldwin.	Melson.
Blount.	Montgomery.
Burmeister.	Moore.
Carson.	Morgan
Davenport.	Pate.
DeBerry.	Patman.
Duffey.	Patterson.
Dunlap.	Price.
Durham.	Rowland.
Edwards.	Shires.
Finlay.	Stewart of Reeves.
Lackey.	Storey.
Loftin.	Vaughan.
McKean.	Wallace.
Maxwell.	Young.

Absent—Excused

Carter of Coke.	Lusk.
Frnka.	Merriman.
Houston.	Strickland.
Johnson.	Williamson.

## HOUSE BILL NO. 97 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 97, A bill to be entitled "An Act prohibiting the teaching of evolution in any of its phases in the public schools or any of our higher educational institutions in the State of Texas, supported in whole or in part by taxation; and prohibiting the members of the State Text Book Commission from adopting or recommending any text book which teaches the theory of evolution, either directly or indirectly, and for other purposes."

The bill was read third time.

Mr. Kemble moved the previous question on the passage of the bill and the main question was ordered.

Question recurring on the passage of the bill, yeas and nays were demanded.

House bill No. 97 was then passed by the following vote:

Yeas—71.

Abney.	LeMaster.
Arnold.	Looney.
Atkinson.	McBride.
Avis.	McDaniel.
Baker of Milam.	McDonald.
Baker of Orange.	McFarlane.
Barker.	McKean.
Bird.	McNatt.
Bonham.	Mathes.
Cable.	Merritt.
Carpenter	Moore.
of Dallas.	Patterson.
Carter of Hays.	Perdue.
Collins.	Pinkston.
Covey.	Purl.
Cowen.	Quinn.
Crawford.	Rice.
Culp.	Rogers.
Davis.	Rountree.
Dielmann.	Russell of Trinity.
Dinkle.	Sanford.
Dodd.	Simpson.
Downs.	Sparkman.
Driggers.	Stell.
Duffey.	Stewart
Faubion.	of Edwards.
Fields.	Stewart of Jasper.
Gipson.	Stewart of Reeves.
Greer.	Stroder.
Hardin of Erath.	Sweet.
Howeth.	Teer.
Hughes.	Thrasher.
Kemble.	Westbrook.
Lackey.	Wilmaans.
Laird.	Winfree.
Lamb.	Young.
Lane.	

## Nays—34.

Amsler.	Jacks.
Barrett.	Jennings.
Bell.	Jones.
Bobbitt.	Miller.
Brady.	Morgan
Burmeister.	of Robertson.
Carpenter	Patman.
of Matagorda.	Pool.
Chitwood.	Robinson.
Dunn.	Russell
Fugler.	of Callahan.
Green.	Satterwhite.
Hardin	Shearer.
of Kaufman.	Smith.
Harrington.	Stevens.
Harris.	Stiernberg.
Henderson	Storey.
of McLennan.	Turner.
Hendricks.	Wessels.
Hull.	Wilson.

## Present—Not Voting.

Bryant.	Lewis.
Absent.	
Baldwin.	Martin.
Beasley.	Maxwell.
Blount.	Melson.
Carson.	Montgomery.
Coffee.	Morgan
Davenport.	of Liberty.
DeBerry.	Pate.
Dunlap.	Pope.
Durham.	Potter.
Edwards.	Price.
Finlay.	Quaid.
Henderson	Sackett.
of Marion.	Shires.
Houston.	Thompson.
Irwin.	Vaughan.
LeSturgeon.	Wallace.
Loftin.	Wells.

## Absent—Excused.

Carter of Coke.	Merriman.
Frnka.	Rowland.
Johnson.	Strickland.
Lusk.	Williamson.

HOUSE BILL NO. 111 ON THIRD  
READING.

The Speaker laid before the House, on its third reading and final passage, H. B. No. 111, A bill to be entitled "An Act to preserve, propagate, distribute and protect the wild game animals, wild game birds and fowls, and wild birds of this State; defining offenses and prescribing penalties for the violations thereof; providing for the issuance of hunting licenses; the appointment of deputy Game, Fish and Oyster Commissioners, prescribing their duties and compensations; making provisions for

the creation of a special game fund and appropriating the same for the purpose of carrying out the provisions of this act; repealing certain laws and all laws, general and special, in conflict herewith, and declaring an emergency."

The bill was read third time.

Mr. Burmeister offered the following amendment to the bill:

Amend substitute House bill No. 111, Section 70, by inserting after the words "whether general or special" the words "except such acts as are passed by the Thirty-eighth Legislature."

The amendment was lost.

House bill No. 111 was then finally passed by the following vote:

## Yeas—87.

Mr. Speaker.	Lackey.
Abney.	Lamb.
Amsler.	Lane.
Arnold.	LeMaster.
Baker of Orange.	LeSturgeon.
Beasley.	Loftin.
Bell.	Looney.
Blount.	McBride.
Bobbitt.	McDaniel.
Brady.	McKean.
Bryant.	McNatt.
Burmeister.	Mathes.
Carpenter	Maxwell.
of Dallas.	Moore.
Carpenter	Morgan
of Matagorda.	of Robertson.
Carson.	Patterson.
Carter of Hays.	Perdue.
Chitwood.	Pinkston.
Collins.	Quinn.
Cowen.	Robinson.
Culp.	Rogers.
Davis.	Rountree.
Dielmann.	Russell
Dinkle.	of Callahan.
Driggers.	Russell of Trinity.
Duffey.	Sackett.
Dunlap.	Sanford.
Dunn.	Satterwhite.
Edwards.	Shearer.
Faubion.	Smith.
Fields.	Sparkman.
Fugler.	Stell.
Gipson.	Stevens.
Green.	Stewart
Greer.	of Edwards.
Hardin of Erath.	Stewart of Reeves.
Harrington.	Storey.
Harris.	Teer.
Henderson	Thrasher.
of McLennan.	Turner.
Hendricks.	Wells.
Hughes.	Westbrook.
Hull.	Wilmans.
Jacks.	Wilson.
Jennings.	Young.
Kemble.	

## Nays—23.

Atkinson.	Henderson
Avis.	of Marion.
Baker of Milam.	Laird.
Barker.	Merritt.
Barrett.	Pate.
Bird.	Quaid.
Cable.	Rice.
Dodd.	Simpson.
Downs.	Stewart of Jasper.
Hardin	Thompson.
of Kaufman.	Wallace.
Jones.	Wessels.

## Absent.

Baldwin.	Miller.
Bonham.	Montgomery.
Coffee.	Morgan
Covey.	of Liberty.
Crawford.	Patman.
Davenport.	Pool.
DeBerry.	Pope.
Durham.	Potter.
Finlay.	Price.
Houston.	Purl.
Howeth.	Shires.
Irwin.	Stiernberg.
Lewis.	Stroder.
McDonald.	Sweet.
McFarlane.	Vaughan.
Martin.	Winfree.
Melson.	

## Absent—Excused.

Carter of Coke.	Merriman.
Frnka.	Rowland.
Johnson.	Strickland.
Lusk.	Williamson.

Mr. Lackey moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

## HOUSE BILL NO. 116 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, H. B. No. 116, A bill to be entitled "An Act to amend Chapter 1, Title 119, of the Revised Civil Statutes of Texas, as amended by Chapter 29 of the Acts of the Fourth Called Session of the Thirty-fifth Legislature, and by Chapter 98 of the General Laws of the Regular Session of the Thirty-sixth Legislature, fixing the compensation of county commissioners, by adding thereto Article 6901dd, fixing the compensation of county commissioners in all counties subject to the provisions of Chapter 42 of the General Laws of the First Called Session of the Thirty-seventh Legislature, and having a population of less than 50,000, and having a county audi-

tor, and providing that this act shall not go into effect until the first day of January, 1925."

The bill was read third time.

Mr. Brady offered the following amendment to the bill:

Amend House bill No. 116 by striking out all after the enacting clause and substituting the following:

Section 1. That Articles 6901a, 6901b and 6901d of Chapter 1, Title 119, of the Revised Civil Statutes of the State of Texas of 1911, as enacted by Chapter 29 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature and as amended by Chapter 98 of the General Laws of the Regular Session of the Thirty-sixth Legislature, be and the same are hereby amended so as to hereafter read as follows:

"Article 6901a. Provided that in all counties having an assessed valuation of all taxable properties of one hundred million (\$100,000,000) dollars or more the county commissioners shall devote their entire time to the duties required of them by law and such other duties as may be required of them by the commissioners court of their respective counties, and may each receive a salary of three thousand six hundred (\$3600) dollars per annum, payable in equal monthly installments, and this salary shall be in lieu of all other fees and per diem of all kinds now allowed by law; provided that in all counties having an assessed valuation of all taxable property of less than ten million (\$10,000,000) dollars the county commissioners of the several counties shall each receive five (\$5) dollars per day for each day served as commissioner, and when acting as ex-officio road supervisors of their precincts they shall each receive five (\$5) dollars for each day actually served in supervising the construction or repair of the public roads in their respective precincts; provided that each commissioner shall in no event receive more than one thousand (\$1000) dollars in any one year for such service.

"Article 6901b. Provided that in all counties having an assessed valuation of all taxable properties of fifty million (\$50,000,000) dollars and less than one hundred million (\$100,000,000) dollars valuation the county commissioners of the several counties may each receive a salary of three thousand (\$3000) dollars per annum, payable in equal monthly installments, and that salary shall be in lieu of all other fees and per diem of all kinds now allowed by law.

"Article 690ld. Provided that in all counties having an assessed valuation of all taxable properties of twenty-five million (\$25,000,000) dollars and less than thirty-five million (\$35,000,000) dollars valuation, the county commissioners of the several counties may each receive a salary of two thousand (\$2000) dollars per annum, payable in equal monthly installments and this salary shall be in lieu of all other fees and per diem of all kinds now allowed by law."

Sec. 2. That Article 690lc, of Chapter 1, Title 119, of the Revised Civil Statutes of Texas of 1911, as enacted by Chapter 29 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, be amended so as to hereafter read as follows:

"Article 690lc. Provided that in all counties having an assessed valuation of all taxable properties of thirty-five million (\$35,000,000) dollars and less than fifty million (\$50,000,000) dollars valuation the county commissioners of the several counties may each receive a salary of two thousand four hundred (\$2400) dollars per annum, payable in equal monthly installments, and this salary shall be in lieu of all other fees and per diem of all kinds now allowed by law."

Sec. 3. That Articles 690lcc and 690ldd shall be added to said act and shall read as follows:

"Article 690lcc. Provided that in all counties having an assessed valuation of all taxable properties of fourteen million (\$14,000,000) dollars and less than twenty-five million (\$25,000,000) dollars valuation the county commissioners of the several counties may each receive a salary of eighteen hundred (\$1800) dollars per annum, payable in equal monthly installments, and this salary shall be in lieu of all other fees and per diem of all kinds now allowed by law."

"Article 690ldd. Provided that in all counties having an assessed valuation of all taxable properties of ten million (\$10,000,000) dollars and less than fourteen million (\$14,000,000) dollars valuation the county commissioners of the several counties may each receive a salary of twelve hundred (\$1200) dollars per annum, payable in equal monthly installments, and this salary shall be in lieu of all other fees and per diem of all kinds now allowed by law."

Sec. 4. That Article 690le, of Chapter 1, Title 119, of the Revised Civil Statutes of Texas of 1911, as enacted by Chapter 2 of the General Laws of the Fourth Called Session of the Thirty-

fifth Legislature, as amended by Chapter 98, Acts of the Thirty-sixth Legislature, Regular Session, be amended so as to read as follows:

"Article 690le. That by assessed valuation of all taxable properties is meant the total assessed valuation of all properties as shown by the tax rolls certified by the county tax assessor, approved by the commissioners court of the county and approved by the Comptroller of Public Accounts of the State of Texas."

Sec. 5. That Article 690lff shall be added to said act and shall read as follows:

"Article 690lff. Provided, however, that the compensation of county commissioners in counties having a population of as much as 23,350 and less than 34,000 according to the last United States census shall be twelve hundred (\$1200) dollars per year each, payable monthly, as compensation for all services rendered of whatsoever nature, whether in connection with the roads of the county or in connection with other county business, such compensation to be as herein provided, regardless of the assessed valuation of property in such counties."

Sec. 6. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 7. The fact that the changes herein made in the law relative to the compensation of county commissioners shall take effect as soon as possible creates an emergency and an imperative public necessity which requires that the constitutional rule providing that bills shall be read on three several days shall be suspended, and said rule is hereby suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

Mr. Stewart of Jasper moved to table the amendment.

Yeas and nays were demanded and the motion to table was lost by the following vote:

Yeas—54.

Abney.	Culp.
Atkinson.	Dinkle.
Avis.	Dodd.
Baker of Orange.	Downs.
Barker.	Driggers.
Barrett.	Dunlap.
Beasley.	Faubion.
Blount.	Fields.
Bonham.	Greer.
Bryant.	Howeth.
Cable.	Jennings.
Carson.	Jones.
Crawford.	Loftin.

McBride.	Shires.
McDaniel.	Simpson.
McDonald.	Sparkman.
McFarlane.	Stell.
McKean.	Stevens.
Martin.	Stewart
Merritt.	of Edwards.
Pate.	Stewart of Jasper.
Patman.	Storey.
Pinkston.	Stroder.
Pool.	Thompson.
Pope.	Wessels.
Quaid.	Wilson.
Russell of Trinity.	Young.
Sanford.	

Nays—55.

Amsler.	Hendricks.
Arnold.	Hughes.
Baker of Milam.	Irwin.
Bell.	Jacks.
Bird.	Kemble.
Bobbitt.	Laird.
Brady.	Lamb.
Carpenter	LeSturgeon.
of Dallas.	Lewis.
Carpenter	Looney.
of Matagorda.	McNatt.
Carter of Hays.	Mathes.
Chitwood.	Maxwell.
Coffee.	Montgomery.
Collins.	Patterson.
Cowen.	Perdue.
Davenport.	Potter.
Davis.	Rice.
Duffey.	Russell
Dunn.	of Callahan.
Edwards.	Sackett.
Fugler.	Satterwhite.
Gipson.	Shearer.
Green.	Smith.
Hardin of Erath.	Sweet.
Hardin	Thrasher.
of Kaufman.	Wells.
Harrington.	Westbrook.
Harris.	Wilmans.
Henderson	Winfree.
of McLennan.	

Present—Not Voting.

Price. Stiernberg.

Absent.

Baldwin.	Melson.
Burmeister.	Miller.
Covey.	Moore.
DeBerry.	Morgan
Dielmann.	of Liberty.
Durham.	Morgan
Finlay.	of Robertson.
Henderson	Purl.
of Marion.	Quinn.
Houston.	Robinson.
Hull.	Rogers.
Lackey.	Rountree.
Lane.	Stewart of Reeves.
LeMaster.	Teer.

Turner.	Wallace.
Vaughan.	
Absent—Excused.	

Carter of Coke.	Merriman.
Frnka.	Rowland.
Johnson.	Strickland.
Lusk.	Williamson.

## SENATE BILLS ON FIRST READING.

The following Senate bills were laid before the House, read severally first time and referred to the appropriate committees, as follows:

Senate bill No. 353, to the Committee on State Affairs.

Senate bill No. 394, to the Committee on Appropriations.

Senate bill No. 260, to the Committee on Public Lands and Buildings.

Senate bill No. 259, to the Committee on Public Lands and Buildings.

Senate bill No. 101, to the Committee on Game and Fisheries.

Senate bill No. 218, to the Committee on Public Health.

Senate bill No. 427, to the Committee on Appropriations.

Senate bill No. 418, to the Committee on Public Lands and Buildings.

Senate bill No. 369, to the Judiciary Committee.

Senate bill No. 429, to the Committee on Judicial Districts.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 9, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bills:

S. B. No. 101, A bill to be entitled "An Act amending Section 31a of an act passed at the First Called Session of the Thirty-sixth Legislature of the State of Texas, entitled 'An Act to amend Sections 14, 17, 19, 21, 22, 25, 28, 31, 35 and 40, Chapter 157 of the General Laws of the Thirty-sixth Legislature, passed at the Regular Session thereof, being "An Act to preserve, propagate, distribute and protect the wild game, wild birds, wild fowl of the State, to provide adequate penalties for the unlawful taking, slaughter, storage, sale, purchase or shipment thereof, to provide for the appointment of deputy game commissioners and fixing their salaries; to define the duties and powers of the Game, Fish and Oyster Commis-

sioner and his deputies; to fix the venue of prosecution under this act; to provide for the issuance of hunting license and prescribe penalties for hunting without a license; to declare that certain moneys shall belong to special game fund of this State and the disposition to be made of said moneys, and to repeal all laws in conflict herewith; and declaring an emergency," correcting certain grammatical and typographical errors in said sections and by adding thereto Sections 31a, 31b, providing a closed season on wild female deer and spotted fawns and fixing a limit of three buck deer to be killed during one season by any one person and fixing penalties therefor; providing the manner of transporting lawfully killed deer and fixing penalties for unlawful shipment of deer, and declaring an emergency," and declaring an emergency."

S. B. No. 213, A bill to be entitled "An Act to authorize the commissioners court of the various counties of the State of Texas to employ one or more nurses for the purpose of assisting in the promotion of public health and visiting and inspecting pupils of the public schools, and to appropriate public funds in payment thereof."

S. B. No. 259, A bill to be entitled "An Act to provide for development of State permits and leases and portions of same on river beds and channels by providing for transferring to the State for the use of the available school fund a portion of oil and gas or the value of same produced on the main land adjacent to the river beds and channels; providing for the payment of royalties, for forfeiture, and declaring an emergency."

S. B. No. 353, A bill to be entitled "An Act to amend Article 4364, Revised Civil Statutes of 1911, providing for the bond of the State Treasurer, so as to provide for the making of such bond with a surety company and the payment of the expense incident thereto by the State; and to amend Article 4373, Revised Civil Statutes of 1911, providing for the appointment of a chief clerk and the giving of bond by him, and also providing for the appointment of other employes, so as to provide for the appointment of the chief clerk and the giving of a bond by him with a good and solvent surety company and further to provide for the appointment of other employes and the giving of bonds

by each of them, and to require the State to pay the necessary expenses incident to the execution of said bond or bonds, and declaring an emergency."

S. B. No. 260, A bill to be entitled "An Act to reduce the royalty on oil and gas produced in river beds and channels from one-eighth to one-sixteenth, and declaring an emergency."

S. B. No. 418, A bill to be entitled "An Act granting and dedicating to the City of Austin, Texas, for exclusively municipal park and other recreational purposes 6.41 acres of land, more or less, situated in or near the City of Austin, with reservation, and declaring an emergency."

S. B. No. 394, A bill to be entitled "An Act making an appropriation for printing to the State Department of Education to print the necessary blanks and bulletins pertaining to the scholastic year 1922-1923, and in order that bulletin forms and blanks for the public schools may be prepared as nearly as possible by the opening of the scholastic year 1923-1924, and declaring an emergency."

S. B. No. 427, A bill to be entitled "An Act continuing the work of the State Reclamation Engineer in connection with the defense and prosecution of suits affecting the boundaries of the State of Texas, authorizing the marking of such boundaries, making an emergency appropriation of ten thousand (\$10,000) dollars therefor, and declaring an emergency."

H. B. No. 643, A bill to be entitled "An Act creating the Brownsboro Independent School District in Henderson county, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties and liabilities now conferred and imposed by the general laws of Texas upon independent school districts and the boards of trustees thereof; declaring that all taxes or bonds heretofore authorized by any former school district included within the bounds thereof shall remain in full force and effect, and declaring an emergency."

H. B. No. 674. A bill to be entitled "An Act exempting Travis county for a period of two years from the provisions of Chapter 12, Section 3, Acts of 1917, Third Called Session, as amended by Chapter 87, Section 3, Acts 1918, Fourth



Called Session, and providing for an emergency."

Respectfully,  
RICHARD BLALOCK,  
Assistant Secretary of the Senate.

RELATING TO SENATE BILL  
NO. 267.

Mr. Montgomery moved to reconsider the vote by which Senate bill No. 267 was recommitted.

The motion to reconsider prevailed.

Question then recurring on the motion to recommit, it was lost.

RECESS.

On motion of Mr. Davenport, the House, at 12:10 o'clock p. m., took recess to 1:30 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 1:30 o'clock p. m. and was called to order by the Speaker.

NOTICE GIVEN.

Mr. Teer gave notice that he would on tomorrow call up for consideration at that time, Senate bill No. 132, which bill has heretofore been laid on the table subject to call.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Quaid, Senate bill No. 394 was ordered not printed.

On motion of Mr. Teer, Senate bill No. 429 was ordered not printed.

On motion of Mr. Simpson, Senate bill No. 369 was ordered not printed.

HOUSE BILL NO. 425 WITH SENATE  
AMENDMENTS.

Mr. Wallace called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 425, A bill to be entitled "An Act to amend Chapter 2 of Title 104 of the Revised Civil Statutes of 1911, as amended by Chapter 32, General Laws, First Called Session, Thirty-fifth Legislature, pertaining to the management and control of the Prison System of this State, by adding thereto another article to be known as Article 6231b, so as to exempt the Board of Prison Commissioners, and the members thereof, from giving or making any cost bond, appeal bond, supersedeas bond, writ of error bond, or other bond or security in any civil suit or action heretofore or hereafter brought by or

against it, or them, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Wallace, the House concurred in the Senate amendments.

HOUSE BILL NO. 361 WITH SENATE  
AMENDMENTS.

Mr. Sackett called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 361, A bill to be entitled "An Act to amend Section 16 of Chapter 190 of the General Laws of the Regular Session of the Thirty-fifth Legislature, as amended by Section 2 of Chapter 71 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, as amended by Section — Chapter 113 of the General Laws of the Regular Session of the Thirty-sixth Legislature, as amended by Chapter 131 of the General Laws of the Regular Session of the Thirty-seventh Legislature, as amended by Chapter 52 of the General Laws of the First Called Session of the Thirty-seventh Legislature, providing for, and increasing the annual license fees on motor vehicles; providing for applications for registration; providing for annual license fees for trailers and semi-trailers and tractors; providing penalties for failure to comply with the provisions of this act; providing certain described vehicles shall not be licensed or operated on public roads; providing for exceptions and special permits; amending Section 3 of Chapter 73 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, as amended by Section 4, Chapter 113 of the General Laws of the Regular Session of the Thirty-sixth Legislature, relating to disposition of fees collected hereunder; providing for maintenance by the State and declaring increased fees primarily a trust fund for such maintenance; providing that in event any section or provision of this act shall be held unconstitutional, the same shall not effect any other section or provision; and repealing all laws in conflict with this act."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Sackett, the House concurred in the Senate amendments.

NOTICE GIVEN.

Mr. Wessels gave notice that he would on tomorrow call up for consideration

at that time, Senate bill No. 237, which bill had heretofore been laid on the table subject to call.

#### HOUSE BILL NO. 116 ON FINAL PASSAGE.

The House resumed consideration of pending business, same being House bill No. 116, relating to compensation of county commissioners, on its final passage, with amendment by Mr. Brady pending.

Question—Shall the amendment be adopted?

#### BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

S. B. No. 155, "An Act to amend Sections 2 and 3 of Chapter 190 of the Acts of 1917 and adding Section 3a, increasing the terms of office for the members of the Board of Highway Commission from two to six years so that one term of office will expire each two years, and providing compensation of \$2500 per year for members of said commission."

S. B. No. 343, "An Act to provide for the collection of delinquent taxes in the new courts created from the counties of Cameron, Hidalgo and Willacy by the Thirty-seventh Legislature."

H. B. No. 561, "An Act creating the Joe Stokes Independent School District."

#### SENATE BILL NO. 244 ON SECOND READING.

On motion of Mr. Russell of Callahan, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 244, A bill to be entitled "An Act reorganizing the State of Texas into supreme judicial districts for the purpose of constituting and organizing Courts of Civil Appeals therein; creating the Eleventh Supreme Judicial District of Texas, with Eastland as the site of said court; providing for the appointment and qualification of the judges of said Eleventh Supreme Judicial District, and other officers thereof; providing for the transfer of cases and regulating appeals from the lower courts of the counties constituting said Eleventh Supreme Judicial District of Texas, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Russell of Callahan offered the following amendment to the bill:

Amend Senate bill No. 244 by adding at the end of subdivision 10, of Section 1, the following: "Provided that if for any reason Senate bill No. 197, creating the Tenth Supreme Judicial District, should fail to become a law, then the counties named in this subdivision shall constitute and remain a part and parcel of their respective districts heretofore existing."

The amendment was adopted.

Mr. Green offered the following amendment to the bill:

Amend Senate bill No. 244 by striking out all of Section 3, and inserting in lieu thereof the following:

"The Court of Civil Appeals for the Eleventh Supreme Judicial District shall hold its session in the City of Abilene, in the county of Taylor, and its terms shall commence with the first Monday of October of each year and shall continue in session until the first Monday in July of each succeeding year. Provided, however, that said court may commence its first session immediately upon the appointment and qualification of the judges thereof, and the organization of the court; and provided further, that said court shall be located at Abilene, Taylor county, Texas. The commissioners court of said county shall provide and equip suitable quarters for said court without cost or expense to the State."

Mr. McFarlane moved the previous question on the pending amendment and the bill, and the motion was not seconded.

Question recurring on the amendment by Mr. Green, it was adopted.

Mr. Green offered the following amendment to the bill:

Amend Senate bill No. 244 by striking out, in Section 1, paragraph 11, the following words: "Palo Pinto," and inserting the words "Coke" and "Runnels," and by striking out of Section 1, paragraph 3, the words "Coke" and "Runnels," and by inserting in paragraph 2, Section 1, the words "Palo Pinto."

The amendment was adopted.

Mr. McDaniel offered the following amendment to the bill:

Amend House bill No. 244 by striking out the word "Comanche" in paragraph 11, in Section 1, and insert the word "Comanche" in paragraph 2 of Section 1.

The amendment was adopted.

Mr. Green offered the following amendment to the bill:

Amend caption of Senate bill No. 244 by striking out the word "Eastland" wherever it occurs and insert in lieu thereof "Abilene."

The amendment was adopted.

Mr. Henderson of McLennan offered the following amendment to the bill:

Amend Senate bill No. 244: Strike "Bell" out of tenth district and place in the third district.

The amendment was adopted.

Senate bill No. 244 was then passed to third reading.

#### SENATE BILL NO. 244 ON THIRD READING.

Mr. Russell of Callahan moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 244 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—97.

Mr. Speaker.	Harris.
Abney.	Henderson
Amsler.	of Marion.
Avis.	Henderson
Baker of Orange.	of McLennan.
Baldwin.	Hendricks.
Barrett.	Howeth.
Beasley.	Hughes.
Bell.	Irwin.
Bird.	Jacks.
Bobbitt.	Jennings.
Brady.	Kemble.
Bryant.	Lackey.
Burmeister.	Laird.
Carpenter	Lamb.
of Dallas.	Lane.
Carpenter	LeMaster.
of Matagorda.	LeSturgeon.
Carson.	Lewis.
Chitwood.	Loftin.
Collins.	Looney.
Covey.	McDaniel.
Crawford.	McDonald.
Davenport.	McNatt.
DeBerry.	Martin.
Dielmann.	Maxwell.
Dinkle.	Merritt.
Dodd.	Miller.
Driggers.	Montgomery.
Duffey.	Moore.
Dunlap.	Morgan
Dunn.	of Liberty.
Durham.	Morgan
Eugler.	of Robertson.
Green.	Patman.
Greer.	Patterson.
Hardin of Erath.	Perdue.

Pinkston.	Sparkman.
Pool.	Stell.
Price.	Stevens.
Purl.	Stewart
Quaid.	of Edwards.
Quinn.	Stiernberg.
Rountree.	Storey.
Russell	Stroder.
of Callahan.	Sweet.
Sackett.	Teer.
Sanford.	Wells.
Satterwhite.	Westbrook.
Shearer.	Wessels.
Shires.	Wilmans.
Simpson.	Wilson.
Smith.	Young.

Nays—10.

Atkinson.	Fields.
Baker of Milam.	Finlay.
Cable.	Hardin
Carter of Hays.	of Kaufman.
Davis.	Rice.
Downs.	

Absent.

Arnold.	Mathes.
Barker.	Melson.
Blount.	Pate.
Bonham.	Pope.
Coffee.	Potter.
Cowen.	Robinson.
Culp.	Rogers.
Edwards.	Russell of Trinity.
Faubion.	Stewart of Jasper.
Gipson.	Stewart of Reeves.
Harrington.	Thompson.
Houston.	Thrasher.
Hull.	Turner.
Jones.	Vaughan.
McBride.	Wallace.
McFarlane.	Winfree.
McKean.	

Absent—Excused.

Carter of Coke.	Merriman.
Frnka.	Rowland.
Johnson.	Strickland.
Lusk.	Williamson.

The Speaker then laid Senate bill No. 244 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—87.

Amsler.	Burmeister.
Avis.	Carpenter
Baker of Orange.	of Dallas.
Barrett.	Carpenter
Beasley.	of Matagorda.
Bell.	Carson.
Bobbitt.	Chitwood.
Brady.	Collins.
Bryant.	Covey.

Davenport.	Miller.
DeBerry.	Montgomery.
Dielmann.	Moore.
Dinkle.	Morgan
Dodd.	of Liberty.
Driggers.	Morgan
Duffey.	of Robertson.
Dunn.	Patman.
Durham.	Patterson.
Fugler.	Pinkston.
Gipson.	Pool.
Green.	Price.
Greer.	Purl.
Hardin of Erath.	Quaid.
Harris.	Quinn.
Hendricks.	Rountree.
Hughes.	Russell
Irwin.	of Callahan.
Henderson	Sackett.
of Marion.	Sanford.
Henderson	Satterwhite.
of McLennan.	Shearer.
Jacks.	Shires.
Jennings.	Simpson.
Kemble.	Smith.
Laird.	Sparkman.
Lamb.	Stell.
Lane.	Stevens.
LeMaster.	Stiernberg.
LeStourgeon.	Storey.
Lewis.	Stroder.
Loftin.	Sweet.
McDaniel.	Teer.
McDonald.	Wells.
McFarlane.	Wessels.
McNatt.	Wilmons.
Martin.	Wilson.
Maxwell.	Young.
Merritt.	

Nays—16.

Abney.	Downs.
Atkinson.	Fields.
Baker of Milam.	Finlay.
Bonham.	Looney.
Cable.	McBride.
Carter of Hays.	Perdue.
Crawford.	Rice.
Davis.	Westbrook.

Present—Not Voting.

Bird.	Howeth.
Hardin	Lackey.
of Kaufman.	

Absent.

Arnold.	Houston.
Baldwin.	Hull.
Barker.	Jones.
Blount.	McKean.
Coffee.	Mathes.
Cowen.	Melson.
Culp.	Pate.
Dunlap.	Pope.
Edwards.	Potter.
Faubion.	Robinson.
Harrington.	Rogers.

Russell of Trinity.	Thrasher.
Stewart	Turner.
of Edwards.	Vaughan.
Stewart of Jasper.	Wallace.
Stewart of Reeves.	Williamson.
Thompson.	Winfree.

Absent—Excused.

Carter of Coke.	Merriman.
Frnka.	Rowland.
Johnson.	Strickland.
Lusk.	

## HOUSE BILL NO. 645 ON SECOND READING.

On motion of Mr. Smith, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 645, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State and authorizing payment of said miscellaneous items on the taking effect of this act, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Smith offered the following amendment to the bill:

Amend House bill No. 645, after Section 1, page 1113, House Journal, by adding the following:

To pay Austin S. Dodd for services as special district judge of Red River county for the year 1922, \$328.74.

To pay R. B. Truly for services as special district judge of Eastland county for the year 1922, \$186.15.

To pay D. T. Bowles of Stephens county for services as special district judge for the year 1922, \$339.49.

To pay C. P. Chastain for services as special district judge in Eastland county for 1922, \$251.85.

To refund to Harris county money paid into State Treasury for shell taken out of Galveston Bay, said refund authorized by Article 4021, Revised Civil Statutes of Texas, \$584.82.

To pay J. W. McCutchan, sheriff of Howard county, expenses from State line to Topeka, Kansas, for getting W. J. Hoffman, who had been convicted in Texas for selling liquor, \$53.20.

To pay D. H. Carpenter, Camp county, assignee First National Bank of New-some, refund on State taxes erroneously paid on property, \$44.55.

To pay E. A. Peavy of Tarrant county refund of taxes erroneously paid on land, \$97.35.

To pay Claud F. Smith, official shorthand reporter district court of the

Ninety-first Judicial District, Eastland county, \$47.60.

To pay Security Life Insurance Company of America for erroneous payment of State taxes on Liberty bonds deposited in the State Treasury, \$150.70.

To pay Robstown Gin & Ice Company of Robstown, Texas, for erroneous payment of franchise taxes for year 1916 to 1921, inclusive, \$561.55.

To pay W. D. Garnett, Gainesville, Texas, for services as special district judge for Cooke county in 1922, \$43.60.

For the payment of the claims against the State of Texas for franchise taxes erroneously and illegally paid by foreign corporations on capital, surplus and undivided profits, also permit fees on capital, surplus and undivided profits not used in the State of Texas during the years 1917 to 1917, inclusive, under the State statutes declared unconstitutional in the case of Crane Co. vs. Looney, Attorney General, reported in 24 U. S., and decided in December, 1917; provided said claims are established in any court of competent jurisdiction sitting in Travis county, Texas. And authority is hereby given to the owner, assigns or the holder of said claims to institute suit against the State of Texas for the recovery of said claims; provided further, that upon the trial of said case, if the claims be established in favor of the owner, assigns or holder and against the State of Texas, that no laches on the part of the holder of said claims shall defeat the recovery, and that no statute of limitation shall be a claim in favor of the State against the holder of said claim, or so much thereof as may be necessary; provided that the State may be cited in said case by serving citation upon the Attorney General of the State of Texas, \$200,000.

Pay W. H. Granberry, official stenographer of Fifty-fourth Judicial District, services rendered in 1922, \$42.60.

Amend House Journal, page 1111, item 20, by changing the figures from \$35 to \$65.60.

Amend House bill No. 645, page 1113, item 3, by striking out the following words: "To pay J. T. Robinson for registered heifer allowed Southwestern Insane Asylum for use," and insert in lieu thereof the following: "To authorize the Board of Control to deliver to J. T. Robinson one registered Holstein heifer from the Southwestern Insane Asylum at San Antonio, as part payment for a registered Holstein bull purchased from the said Robinson by former State Pur-

chasing Agent George Leavy as per agreement between the said purchasing agent and the said Robinson."

To pay Matador Land and Cattle Company, refund on land purchased from the State, on account of title failing, \$1920.

To pay H. L. Vaughn for occupation taxes erroneously paid the State in 1917-18-19, \$450.

To pay J. D. Avis, trustee, gross receipts tax erroneously paid to the State, \$44.59.

Mr. Quinn moved to lay the bill on the table subject to call, and the motion was lost.

Mr. Wallace moved to table the amendment by Mr. Smith.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

Yeas—61.

Atkinson.	McBride.
Baker of Milam.	McDaniel.
Barker.	McDonald.
Barrett.	McFarlane.
Bell.	Martin.
Bird.	Merritt.
Bryant.	Miller.
Burmeister.	Patterson.
Cable.	Perdue.
Carpenter	Pinkston.
of Matagorda.	Pool.
Carson.	Pope.
Chitwood.	Quaid.
Coffee.	Quinn.
Davis.	Russell
DeBerry.	of Callahan.
Downs.	Sackett.
Duffey.	Sanford.
Durham.	Simpson.
Fields.	Sparkman.
Finlay.	Stell.
Gipson.	Stevens.
Green.	Stewart of Jasper.
Greer.	Stiernberg.
Hardin	Stroder.
of Kaufman.	Teer.
Hendricks.	Thompson.
Kemble.	Thrasher.
Lackey.	Wallace.
Laird.	Westbrook.
LeMaster.	Wessels.
Looney.	Young.

Nays—39.

Abney.	Carter of Hays.
Amsler.	Covey.
Arnold.	Culp.
Baldwin.	Dielmann.
Bobbitt.	Dodd.
Brady.	Dunn.
Carpenter	Fugler.
of Dallas.	Hughes.

Hull.	Morgan
Irwin.	of Liberty.
Jacks.	Pate.
Jennings.	Price.
Lane.	Purl.
LeStourgeon.	Rice.
Loftin.	Rountree.
McKean.	Shearer.
McNatt.	Smith.
Mathes.	Stewart of Reeves.
Maxwell.	Turner.
Moore.	Wells.
	Winfree.

Present—Not Voting.

Harris.	Lamb.
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Absent.

Avis.	Howeth.
Baker of Orange.	Jones.
Beasley.	Lewis.
Blount.	Melson.
Bonham.	Montgomery.
Collins.	Morgan
Cowen.	of Robertson.
Crawford.	Patman.
Davenport.	Potter.
Dinkle.	Robinson.
Driggers.	Rogers.
Dunlap.	Russell of Trinity.
Edwards.	Satterwhite.
Faubion.	Shires.
Hardin of Erath.	Stewart
Harrington.	of Edwards.
Henderson	Storey.
of Marion.	Sweet.
Henderson	Vaughan.
of McLennan.	Wilmans.
Houston.	Wilson.

Absent—Excused.

Carter of Coke.	Merriman.
Frnka.	Rowland.
Johnson.	Strickland.
Lusk.	Williamson.

Mr. Wallace offered the following amendment to the bill:

Amend House bill No. 645 by striking out J. A. Grigsby account, \$26.78.

The amendment was adopted.

Mr. Wallace offered the following amendment to the bill:

Page 1112 of the Journal, House bill No. 645, strike out the item \$18,256.62."

Question—Shall the amendment be adopted?

On motion of Mr. Burmeister, further consideration of the bill was postponed until 11 o'clock a. m. tomorrow.

# MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 9, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 682, A bill to be entitled "An Act to amend Sections 1 and 5 of Chapter 6 of the Special Laws enacted by the Thirtieth Legislature, same being an act creating the Baird Independent School District in Callahan county, Texas, as amended by Chapter 25 of the Thirty-first Legislature; redefining the boundaries of said district; repealing all laws in conflict herewith, and declaring an emergency."

The Senate Committee on Education has reported House bill No. 547 adversely.

The Senate has postponed further consideration of Senate bill No. 6 indefinitely by the following vote: 19 yeas and 9 nays.

Respectfully,  
RICHARD BLALOCK,  
Assistant Secretary of the Senate.

## HOUSE BILL NO. 116 ON FINAL PASSAGE.

The House resumed consideration of pending business, same being House bill No. 116, relating to compensation of county commissioners, on its final passage, with amendment by Mr. Brady pending.

Mr. Jacks, by unanimous consent, withdrew the pending amendment.

On motion of Mr. Abney, the bill was laid on the table subject to call.

## HOUSE BILL NO. 54 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 54, A bill to be entitled "An Act authorizing boards of supervisors of levee improvement districts heretofore authorized, or that may be hereafter organized, under any law pursuant to Section 52 of Article 3, or Section 59 of Article 16 of the Constitution, to file suits to collect delinquent taxes in such districts; providing the method of procedure therefor; providing that any bondholders may bring such tax suits in the name of the levee district where the supervisors fail to

commence such suits within sixty days after taxes become delinquent; providing that this act shall be cumulative and shall not repeal any method of procedure now provided for by law for the collection of levee district taxes, and declaring an emergency."

The bill was read third time.

Mr. DeBerry offered the following amendment to the bill:

Amend House bill No. 54 by adding the following as Section 4a:

"Sec. 4a. Provided that this act shall not become effective until December 1, 1924."

Amend the caption accordingly.

The amendment was adopted.

House bill No. 54 was then passed.

#### HOUSE BILL NO. 118 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 118, A bill to be entitled "An Act amending Chapter 4, Title 12, of the Penal Code of the State of Texas, so as to properly define 'concentrated feeding stuff,' 'concentrated feed stuff,' and 'concentrated commercial feeding stuff'; amending Article 735 of said chapter, making it refer to Article 732 instead of Article 731, and reducing the penalty; making said chapter apply to firms, corporations, associations of persons, manufacturers, importers, agents, sellers and common law trust companies or associations, as well as persons; amending Article 740, omitting the jail penalty; providing a penalty for violations of said chapter where a penalty is not otherwise provided, and declaring an emergency."

The bill was read third time and was passed.

#### HOUSE BILL NO. 149 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 149, A bill to be entitled "An Act amending Sections 6 and 12 of an act passed at the Regular Session of the Thirty-sixth Legislature, entitled 'An Act relating to the protection of wild game, birds, etc., and requiring a license for the purpose of hunting,' being House bill No. 457, Chapter 157 of the Regular Session Laws, and to repeal all laws in conflict, and declaring an emergency."

The bill was read third time and was passed.

#### HOUSE BILL NO. 184 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 184, A bill to be entitled "An Act amending subdivision (1) of Section 1 of an act authorizing and empowering certain municipalities of this State to fix and prescribe the annual salaries or compensation of their city or corporation judge, city attorney, and city auditor, at not exceeding a maximum prescribed sum, fixing the maximum amount thereof, and declaring an emergency, being House bill No. 101, Chapter 21 of the General Laws of Texas, approved June 17, 1920, and effective June 17, 1920, and declaring an emergency."

The bill was read third time and was passed.

#### HOUSE BILL NO. 196 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 196, A bill to be entitled "An Act to amend Chapter 1 of Title 29 of the Revised Civil Statutes of 1911 by adding thereto Articles 1459a, 1459b, 1459c and 1459d, providing for the employment by commissioners courts in counties not having a county auditor of an accountant to audit the books, records and files of the county, and the reports, books, records and files of all officers, agents, agencies, pertaining to all financial transactions and matters with respect to which the commissioners court is charged with any duty; providing for a report of such audit and for their compensation therefor."

The bill was read third time and was passed.

#### SENATE BILL NO. 406 ON SECOND READING.

On motion of Mr. Baker of Milam, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 406, A bill to be entitled "An Act to amend Chapter 141, Acts of the Regular Session of the Thirty-fifth Legislature, so as to prohibit commissioners courts and supervisors of levee improvement districts from letting any contract calling for or requiring the expenditure of two thousand (\$2000) dollars or more without first submitting same to competitive bids and publishing

notice of the proposed letting of such contract; providing that such requirement may be waived in case of public calamity; requiring all contracts for more than five hundred (\$500) dollars and less than two thousand (\$2000) dollars to be let on competitive basis; providing that contracts made in violation of this act shall not be enforced and may be enjoined, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Baker of Milam offered the following amendment to the bill:

Amend the caption to Senate bill No. 406, as printed in the House Journal, on page 1397, by adding after the words "letting of such contract," the following: "requiring check for five per cent of bid to accompany same and requiring successful bidder to furnish bond."

The amendment was adopted.

Senate bill No. 406 was then passed to third reading.

#### HOUSE BILL NO. 242 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 242, A bill to be entitled "An Act providing for the regulation of gins, ginners and ginning; the licensing of ginners; prescribing the conditions of a ginner's bond; providing for proper packing, wrapping, marking and certifying of bales of cotton; providing for the enforcement of this act; requiring certain reports; providing penalties for the violation of this act; defining certain terms; repealing certain articles of the statute, and certain laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read third time.

Mr. McKean offered the following amendment to the bill:

Amend Section 1 of House bill No. 242 by adding thereto the following: "Such license fees shall be deposited in the State Treasury and become a part of the general revenue of the State, and in addition to the fee provided for herein, there shall be collected from each individual, partnership, joint stock company, corporation, association or organization operating a cotton gin in this State, a sum which is equivalent to one cent (\$.01) per bale upon all cotton ginned, which sum shall also be deposited into the State Treasury and set aside as a special fund to be used by

the commissioner for the enforcement of the provisions of this act, and provided that the sum of ten thousand dollars is hereby appropriated out of any funds not otherwise appropriated for the purpose of administering the provisions of this act during the remainder of this fiscal year."

After Section 1, add two more sections to be known as Sections 2 and 3, and change all other sections to correspond.

Sec. 2. The commissioner, before issuing a ginner's license shall have the right to take into consideration the necessity for the operation of a gin in the place where it is to be located. If the facts disclose that the ginning facilities afforded by gins already licensed are adequate for the reasonable demands of such place for the ginning of cotton, the commissioner may refuse to issue such license; provided, however, that this section shall not apply to gins already in operation where such gins are equipped with the necessary machinery and facilities to comply with the requirements of the law, and provided that said commissioner shall have the right to take into consideration the responsibility, reliability, qualifications and capacity of the individual, partnership, joint stock company, corporation, association or organization so applying to do such ginning business, and to furnish reasonable facilities, conveniences and services to the public; and shall have the authority to require such facilities, conveniences and services to be afforded to the public.

Sec. 3. The commissioner shall have the power and the authority and he is hereby charged with the duty of regulating and controlling such cotton gins in all matters relating to charges for ginning cotton, and he shall have the authority to correct the abuses of unjust discrimination and extortion in ginning charges.

He shall have the authority to fix rates and charges to be made by ginners, providing that the ginning territory may be separated into zones and the price for ginning in each zone shall be determined according to the reasonable needs and the requirements of each zone and of each gin in each zone; provided that the charge for such ginning in any of said zones shall not exceed fifty (\$.50) cents, or the equivalent thereof, for each one hundred pounds of seed cotton, and provided further, that the com-



missioner shall have authority to regulate such charges within this maximum.

And to further amend by striking out Section 6 and substituting therefor the following:

Section 6. Each square bale of cotton ginned by a licensed and bonded ginner in this State shall be wrapped with not less than six yards of bagging, and shall be securely bound with six ties or hoops; said wrapping, together with the ties, shall not weigh less than twenty-one pounds; provided that the ends of the bale shall be covered and the bagging well sewed; and provided further, that the quality of the bagging shall at all times be such that markings thereon will, under ordinary conditions, remain intact and visible.

On motion of Mr. Culp the amendment was tabled.

House bill No. 242 was then finally passed.

#### HOUSE BILL NO. 274 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 274, A bill to be entitled "An Act to amend Sections 2 and 3 of Chapter 190 of the Acts of 1917, and adding Section 3a, increasing the term of office for the members of the Board of Highway Commission from two to six years, so that one term of office will expire each two years, and providing compensation of \$2500 per year for members of said commission."

The bill was read third time.

On motion of Mr. Moore the bill was laid on the table subject to call.

#### HOUSE BILL NO. 232 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 232, A bill to be entitled "An Act to amend Chapter 141, Acts of the Regular Session of the Thirty-fifth Legislature, so as to prohibit commissioners courts and supervisors of levee improvement districts from letting any contract calling for or requiring the expenditure of two thousand dollars (\$2000) or more without first submitting same to competitive bids and publishing notice of the proposed letting of such contract; providing that such requirement may be waived in case of public calamity; requiring all contracts for more than five hundred (\$500) dollars and less than two thousand dollars (\$2000) to be let on competitive bids;

providing that contracts made in violation of this act shall not be enforced and may be enjoined, and declaring an emergency."

The bill was read third time.

On motion of Mr. Baker of Milam the bill was laid on the table subject to call.

#### HOUSE BILL NO. 283 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 283, A bill to be entitled "An Act to amend Article 3965 of the Revised Statutes of 1911, relating to written memorandum to maintain certain actions, and declaring an emergency."

The bill was read third time and was passed.

#### SENATE BILL NO. 201 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading:

S. B. No. 201, A bill to be entitled "An Act organizing the Forty-second Judicial District of Texas; defining its limitations and naming the counties which shall constitute same; providing for the transfer of Stephens county from said district to the Ninetieth Judicial District of Texas; providing for the transfer of all cases on the docket of the Forty-second Judicial District within the county of Stephens to the docket of the Ninetieth Judicial District in said county; and validating all writs, bonds, recognizances and process in all cases pending upon the dockets of the district courts in the aforesaid counties, and declaring an emergency."

The bill was read second time and was passed to third reading.

#### SENATE BILL NO. 201 ON THIRD READING.

Mr. Green moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 201 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—93.

Mr. Speaker.	Barrett.
Abney.	Bird.
Amsler.	Bobbitt.
Avis.	Bonham.
Baker of Milam.	Brady.
Baker of Orange.	Bryant.
Baldwin.	Burmeister.

Cable.	Lewis.
Carpenter	Loftin.
of Dallas.	McDaniel.
Carpenter	McDonald.
of Matagorda.	McFarlane.
Carson.	McNatt.
Chitwood.	Martin.
Coffee.	Maxwell.
Covey.	Merritt.
Cowen.	Miller.
Crawford.	Montgomery.
Culp.	Moore.
Davis.	Morgan
DeBerry.	of Liberty.
Dielmann.	Morgan
Dinkle.	of Robertson.
Dodd.	Pate.
Downs.	Patman.
Driggers.	Patterson.
Duffey.	Pinkston.
Dunlap.	Price.
Edwards.	Quaid.
Faubion.	Rice.
Gipson.	Robinson.
Green.	Rogers.
Harris.	Russell
Henderson	of Callahan.
of Marion.	Sackett.
Henderson	Sanford.
of McLennan.	Satterwhite.
Hendricks.	Shearer.
Howeth.	Simpson.
Hughes.	Stewart of Reeves.
Hull.	Stiernberg.
Irwin.	Storey.
Jacks.	Sweet.
Jennings.	Teer.
Jones.	Thompson.
Kemble.	Thrasher.
Lackey.	Wells.
Laird.	Westbrook.
Lamb.	Wilmans.
Lane.	Wilson.
LeMaster.	Young.
LeSturgeon.	

Nays—10.

Atkinson.	McKean.
Carter of Hays.	Perdue.
Finlay.	Stevens.
Hardin	Stewart.
of Kaufman.	of Edwards.
Looney.	Wessels.

Absent.

Arnold.	Hardin of Erath.
Barker.	Harrington.
Beasley.	Houston.
Bell.	McBride.
Blount.	Mathes.
Collins.	Melson.
Davenport.	Pool.
Dunn.	Pope.
Durham.	Potter.
Fields.	Purl.
Fugler.	Quinn.
Greer.	Rountree.

Russell of Trinity.	Stroder.
Shires.	Turner.
Smith.	Vaughan.
Sparkman.	Wallace.
Stell.	Winfree.
Stewart of Jasper.	

Absent—Excused.

Carter of Coke.	Merriman.
Frnka.	Rowland.
Johnson.	Strickland.
Lusk.	Williamson.

The Speaker then laid Senate bill No. 201 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—101.

Mr. Speaker.	Hendricks.
Abney.	Hughes.
Amsler.	Hull.
Arnold.	Irwin.
Avis.	Jacks.
Baker of Milam.	Jennings.
Baker of Orange.	Jones.
Baldwin.	Kemble.
Barrett.	Laird.
Bell.	Lamb.
Bird.	Lane.
Bobbitt.	LeSturgeon.
Bonham.	Lewis.
Brady.	Loftin.
Bryant.	McDaniel.
Burmeister.	McDonald.
Cable.	McFarlane.
Carpenter	McKean.
of Dallas.	McNatt.
Carpenter	Martin.
of Matagorda.	Maxwell.
Carson.	Merritt.
Chitwood.	Montgomery.
Coffee.	Moore.
Covey.	Morgan
Cowen.	of Liberty.
Culp.	Morgan
Davis.	of Robertson.
Dielmann.	Pate.
Dinkle.	Patman.
Dodd.	Patterson.
Driggers.	Pinkston.
Duffey.	Pope.
Dunlap.	Potter.
Dunn.	Price.
Edwards.	Quaid.
Faubion.	Quinn.
Fields.	Rice.
Finlay.	Robinson.
Gipson.	Rogers.
Green.	Russell
Greer.	of Callahan.
Harris.	Russell of Trinity.
Henderson	Sackett.
of Marion.	Sanford.
Henderson	Satterwhite.
of McLennan.	Shearer.

Simpson.	Thrasher.
Stell.	Wallace.
Stewart of Jasper.	Wessels.
Stewart of Reeves.	Wilmans.
Storey.	Wilson.
Sweet.	Young.
Teer.	

Nays—7.

Atkinson.	Perdue.
Downs.	Stevens.
Howeth.	Stewart.
Looney.	of Edwards.

Present—Not Voting.

Carter of Hays.	Hardin
DeBerry.	of Kaufman.
Lackey.	Stiernberg.

Absent.

Barker.	Miller.
Beasley.	Pool.
Blount.	Purl.
Collins.	Rountree.
Crawford.	Shires.
Davenport.	Smith.
Durham.	Sparkman.
Fugler.	Stroder.
Hardin of Erath.	Thompson.
Harrington.	Turner.
Houston.	Vaughan.
LeMaster.	Wells.
McBride.	Westbrook.
Mathes.	Winfree.
Melson.	

Absent—Excused.

Carter of Coke.	Merriman.
Frnka.	Rowland.
Johnson.	Strickland.
Lusk.	Williamson.

#### HOUSE BILL NO. 332 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 332, A bill to be entitled "An Act to amend Section 1, Chapter 61, Acts of the Thirty-sixth Legislature, Third Called Session, relating to the renewal and extension of teachers' certificates."

The bill was read third time.

Mr. Harris offered the following amendment to the bill:

Amend House bill No. 332, line 13, by striking out word "consecutive" and amend House bill No. 332, line 16, by striking out word "consecutive."

Mr. Simpson moved the previous question on the amendment and the bill, and the main question was ordered.

Question recurring on the amendment, it was lost.

House bill No. 332 then failed to pass.

#### ADOPTING MASCOT.

Mr. Faubion offered the following resolution:

Whereas, Little Miss Martha, the junior boss of the Speaker of this House, has arrived in Austin to help her distinguished father make the closing days of this session pass off successfully; and

Whereas, Her influence in helping to bring about this happy result deserves public and official recognition; therefore be it

Resolved, That this House create the office of official suffragette mascot and unanimously select little Miss Martha Seagler to that exalted position.

Signed—Faubion, Cowen, Edwards, Teer.

The resolution was read second time and was adopted unanimously.

#### HOUSE BILL NO. 344 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 344, A bill to be entitled "An Act granting permission to T. M. Thames and wife, Amelia S. Thames, father and mother of Dell Thames, deceased, to bring suit against the State of Texas, in Travis county, Texas, to fix and establish their damages against the State of Texas for the injury and resulting death of Dell Thames, alleged to have occurred at the State Juvenile Training School at Gatesville, Texas, on or about September 25, 1921; fixing and establishing the measure of damages and the liability of the State of Texas; declaring who are the agents or servants of the State of Texas; providing for the method of service and procedure governing the trial and determination of such suit; fixing the time within which such suit shall be brought, and declaring an emergency."

The bill was read third time and was passed.

(Mr. Satterwhite in the chair.)

#### HOUSE BILL NO. 681 ON SECOND READING.

On motion of Mr. Mathes, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 681, A bill to be entitled "An Act to authorize the St. Louis, San Francisco & Texas Railway Company to purchase, own and operate as a part of its line the railroad of International &

Great Northern Railway Company, the railroad of Fort Worth & Rio Grande Railroad Company, the railroad of Paris & Great Northern Railroad Company, the railroad of the Brownwood, North & South Railway Company, the railroad of Quanah, Acme & Pacific Railway Company, or any one or more of said railroads, together with the franchises, properties, rights and privileges of said companies or any of them, and authorizing the said companies and each or any of them to sell and convey all of its or their said railroads, constructed or to be constructed, and all other properties, rights, franchises and privileges to said St. Louis, San Francisco & Texas Railway Company, and authorizing said St. Louis, San Francisco & Texas Railway Company, in connection with the purchase of said properties or any of them, to assume the payment in whole or in part of any or all bonds secured by mortgage or mortgages upon the properties so purchased, and or to issue its stocks or bonds in respect of the properties so purchased, and authorizing said St. Louis, San Francisco & Texas Railway Company to construct, own and operate as a part or parts of its line the unfinished portion or portions of said railroads, or any of them between the termini as defined in their respective charters, and to construct, own and operate as a part or parts of its line all extensions and branches of said railroads, or any of them under or as authorized in and by the charter of said St. Louis, San Francisco & Texas Railway Company, or any amendment thereof, made or to be made in pursuance of the general laws of the State of Texas, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Mathes offered the following (committee) amendment to the bill:

Amend House bill No. 681 by inserting a new section immediately following Section 4 of said bill, to be known as Section 4a, which said new section shall read as follows:

Sec. 4a. The duties and obligations imposed by Articles 6423 and 6424 of the Revised Civil Statutes of Texas and by Article 6435 of the Revised Civil Statutes of Texas, as amended by Chapter 20 of the Acts of the Thirty-fourth Legislature of Texas, on the International-Great Northern Railroad Company, with respect to the location and maintenance of general offices, machine shops and round-houses for the operation of the International-Great North-

ern Railroad, shall be in no wise changed, discharged or defeated by the passage of this act, but the same shall bind, and shall be enforceable against the St. Louis, San Francisco & Texas Railway Company, after the purchase herein authorized, as to the location and for the operation of all the railroads and properties now owned by the International-Great Northern Railroad Company, as the same would have bound, and would have been enforceable against the International-Great Northern Railroad Company, had it continued to own and operate its railroad.

The amendment was adopted.

Mr. Dielmann offered the following amendment to the bill:

Amend House bill No. 681 by adding at the end of Section 1, on page 2, the following: "Provided, that the St. Louis & San Francisco Railway Company shall construct, extend and put into operation its railroad from Brady, Texas, in a southerly direction to San Antonio, Texas, within two years from the date of the passage of this act, and failing so to do all the rights, powers and privileges granted by this act shall thereby be forfeited. And provided further, that in making such extension said railroad company may construct a portion of the track necessary for the same and make a trackage agreement or arrangement with any other railroad company for the balance of the track necessary to reach said city of San Antonio."

Mr. Kemble moved the previous question on the amendment and the bill, and the main question was ordered.

Question recurring on the amendment by Mr. Dielmann, it was lost.

House bill No. 681 was then passed to engrossment.

#### HOUSE BILL NO. 681 ON THIRD READING.

Mr. Beasley moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 681 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—115.

Abney.	Barrett.
Amsler.	Beasley.
Arnold.	Bell.
Atkinson.	Bird.
Baker of Milam.	Blount.
Baker of Orange.	Bobbitt.
Baldwin.	Bonham.
Barker.	Brady.

Bryant.	McDaniel.
Burmeister.	McDonald.
Carpenter	McFarlane.
of Dallas.	McKean.
Carpenter	McNatt.
of Matagorda.	Mathes.
Carter of Hays.	Melson.
Chitwood.	Merritt.
Coffee.	Montgomery.
Collins.	Moore.
Covey.	Morgan
Cowen.	of Robertson.
Crawford.	Pate.
Culp.	Patman.
Davenport.	Perdue.
Davis.	Pool.
DeBerry.	Pope.
Dielmann.	Potter.
Dinkle.	Price.
Dodd.	Quaid.
Downs.	Quinn.
Driggers.	Rice.
Duffey.	Robinson.
Dunlap.	Rogers.
Dunn.	Russell
Durham.	of Callahan.
Edwards.	Russell of Trinity.
Faubion.	Sackett.
Fields.	Sanford.
Finlay.	Satterwhite.
Fugler.	Shearer.
Gipson.	Shires.
Green.	Simpson.
Greer.	Smith.
Hardin of Erath.	Sparkman.
Henderson	Stell.
of Marion.	Stewart.
Henderson	of Edwards.
of McLennan.	Stewart of Jasper.
Hendricks.	Stewart of Reeves.
Howeth.	Stiernberg.
Hughes.	Storey.
Hull.	Teer.
Irwin.	Thompson.
Jacks.	Thrasher.
Jennings.	Turner.
Jones.	Wells.
Kemble.	Westbrook.
Lackey.	Wessels.
Lamb.	Wilmons.
Lane.	Wilson.
LeSturgeon.	Winfree.
Looney.	Young.

## Nays—3.

Avis.	LeMaster.
Cable.	

## Absent.

Carson.	Loftin.
Hardin	McBride.
of Kaufman.	Martin.
Harrington.	Maxwell.
Harris.	Miller.
Houston.	Morgan
Laird.	of Liberty.
Lewis.	Patterson.

Pinkston.	Stroder.
Purl.	Sweet.
Rountree.	Vaughan.
Stevens.	Wallace.

## Absent—Excused.

Carter of Coke.	Merriman.
Frnka.	Rowland.
Johnson.	Strickland.
Lusk.	Williamson.

The Speaker then laid House bill No. 681 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—115.

Abney.	Henderson
Amsler.	of Marion.
Arnold.	Henderson
Atkinson.	of McLennan.
Avis.	Hendricks.
Baker of Milam.	Howeth.
Baker of Orange.	Hughes.
Baldwin.	Hull.
Barker.	Irwin.
Barrett.	Jacks.
Beasley.	Jennings.
Bell.	Jones.
Blount.	Kemble.
Bobbitt.	Lackey.
Bonham.	Lamb.
Brady.	Lane.
Bryant.	LeSturgeon.
Burmeister.	Looney.
Carpenter	McDaniel.
of Dallas.	McDonald.
Carpenter	McFarlane.
of Matagorda.	McKean.
Carter of Hays.	McNatt.
Chitwood.	Mathes.
Coffee.	Melson.
Collins.	Merritt.
Covey.	Montgomery.
Cowen.	Moore.
Culp.	Morgan
Davenport.	of Liberty.
Davis.	Morgan
DeBerry.	of Robertson.
Dielmann.	Pate.
Dinkle.	Patman.
Dodd.	Patterson.
Downs.	Perdue.
Driggers.	Pool.
Duffey.	Pope.
Dunlap.	Potter.
Dunn.	Price.
Durham.	Purl.
Edwards.	Quaid.
Faubion.	Quinn.
Fields.	Rice.
Finlay.	Robinson.
Green.	Rogers.
Greer.	Russell of Trinity.
Hardin of Erath.	Sackett.
Harris.	Sanford.

Satterwhite.	Stroder.
Shearer.	Sweet.
Shires.	Teer.
Simpson.	Thompson.
Smith.	Thrasher.
Sparkman.	Wells.
Stell.	Westbrook.
Stewart.	Wessels.
of Edwards.	Wilmans.
Stewart of Jasper.	Wilson.
Stewart of Reeves.	Winfree.
Storey.	Young.

Nays—1.

Cable.

Present—Not Voting.

Bird.

Stiernberg.

Absent.

Carson.	McBride.
Crawford.	Martin.
Fugler.	Maxwell.
Gipson.	Miller.
Hardin.	Pinkston.
of Kaufman.	Rountree.
Harrington.	Russell
Houston.	of Callahan.
Laird.	Stevens.
LeMaster.	Turner.
Lewis.	Vaughan.
Loftin.	Wallace.

Absent—Excused.

Carter of Coke.	Merriman.
Frnka.	Rowland.
Johnson.	Strickland.
Lusk.	Williamson.

Mr. Beasley moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 9, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has reconsidered and passed

H. B. No. 294, "An Act to reorganize the Forty-sixth and Forty-seventh Judicial Districts and to create the Ninety-third Judicial District of the State of Texas, and for the appointment of the district judge and district attorney for said Ninety-third Judicial District, providing for holding the district courts and the terms thereof in the Forty-sixth, Forty-seventh and Ninety-third Judicial Districts, respectively, and providing that all process and writs heretofore

issued, and all recognizances and bonds heretofore made and executed and returnable to existing terms of district court in the counties composing said districts, together with jurors heretofore selected, are valid and returnable to the first term of the court after this act takes effect, and providing for the continuation of the existing district courts in said counties in session when this act takes effect, to the end of their terms, repealing all conflicting laws, and declaring an emergency,"

Notwithstanding the objections of the Governor, by the following vote: 22 yeas and 5 nays.

The Senate has reconsidered and passed

S. B. No. 152, "An Act to create and establish a court of record in Bowie county, Texas, and known as the Texarkana Court at Law and limit the jurisdiction and powers of said court, and the territorial limits thereof; to conform the jurisdiction of the district and inferior courts thereto; to provide for the appointment, election and qualification of a judge and a clerk of said court, and fix their compensation and tenure of office, and define their duties and powers, and to repeal all laws in conflict herewith, and declaring an emergency,"

Notwithstanding the objections of the Governor, by the following vote: 19 yeas and 7 nays, and herewith return same to the House with the Governor's objections.

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 9, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 365, A bill to be entitled "An Act to amend Article 3893, Chapter 4, Title 58 of the Revised Civil Statutes of 1911, as amended by the act of the Thirty-third Legislature passed at its Regular Session, Chapter 121, Section 1, providing for and regulating the payment of compensation for ex-officio services to certain county officers."

H. B. No. 142, A bill to be entitled "An Act to appropriate the sum of one hundred thousand dollars, or as much thereof as may be necessary, out of the

revenues of the State for the erection of an administration building for the extension service of the Agricultural and Mechanical College of Texas, and the sum of fifteen thousand dollars out of the general revenues of the State for the repair and remodeling of Gathright Hall, and declaring an emergency."

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

SENATE BILL NO. 400 ON SECOND  
READING.

On motion of Mr. Teer, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading,

S. B. No. 400, A bill to be entitled "An Act making an emergency appropriation for the State penitentiary system; providing that no part of same shall be used in or available for the payment of certain alleged notes alleged to have been executed by the Board of Prison Commissioners, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time and was passed to third reading.

SENATE BILL NO. 400 ON THIRD  
READING.

Mr. Teer moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 400 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—99.

Mr. Speaker.	Cowen.
Amsler.	Culp.
Arnold.	Davenport.
Avis.	Davis.
Baker of Orange.	DeBerry.
Baldwin.	Dielmann.
Barrett.	Dinkle.
Beasley.	Dodd.
Bell.	Downs.
Bird.	Driggers.
Blount.	Duffey.
Bobbitt.	Dunlap.
Bonham.	Dunn.
Brady.	Edwards.
Burmeister.	Faubion.
Cable.	Fields.
Carpenter	Finlay.
of Dallas.	Gipson.
Carpenter	Green.
of Matagorda.	Hardin of Erath.
Carter of Hays.	Henderson
Chitwood.	of Marion.
Office.	Howeth.

Hughes.	Quaid.
Irwin.	Rice.
Jennings.	Robinson.
Jones.	Rogers.
Kemble.	Rountree.
Lackey.	Russell
Laird.	of Callahan.
Lamb.	Russell of Trinity.
Lane.	Sackett.
LeMaster.	Sanford.
LeSturgeon.	Satterwhite.
Lewis.	Shearer.
Loftin.	Shires.
McDaniel.	Simpson.
McDonald.	Sparkman.
McKean.	Stewart
McNatt.	of Edwards.
Martin.	Stewart of Reeves.
Montgomery.	Stiernberg.
Moore.	Stroder.
Morgan	Sweet.
of Liberty.	Teer.
Morgan	Thompson.
of Robertson.	Thrasher.
Patman.	Turner.
Patterson.	Wallace.
Perdue.	Westbrook.
Pope.	Wilman's.
Potter.	Wilson.
Price.	Winfree.
Purl.	

Nays—6.

Baker of Milam.	Looney.
Henderson	Smith.
of McLennan.	Wessels.
Jacks.	

Present—Not Voting.

Abney.

Absent.

Atkinson.	McFarlane.
Barker.	Mathes.
Bryant.	Maxwell.
Carson.	Melson.
Collins.	Merritt.
Covey.	Miller.
Crawford.	Pate.
Durham.	Pinkston.
Fugler.	Pool.
Greer.	Quinn.
Hardin	Rowland.
of Kaufman.	Stell.
Harrington.	Stevens.
Harris.	Stewart of Jasper.
Hendricks.	Storey.
Houston.	Vaughan.
Hull.	Wells.
McBride.	Young.

Absent—Excused.

Carter of Coke.	Merriman.
Frnka.	Strickland.
Johnson.	Williamson.
Lusk.	

The Speaker then laid Senate bill No.

400 before the House on its third reading and final passage.

The bill was read third time and was passed.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Rogers, Senate bill No. 239 was ordered not printed.

On motion of Mr. Barrett, Senate bill No. 430 was ordered not printed.

#### NOTICE GIVEN.

Mr. Davenport gave notice that he would tomorrow call up for consideration at that time Senate bill No. 223.

#### SENATE BILL ON FIRST READING.

The following Senate bill was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate bill No. 365, to the Committee on Counties.

#### RELATING TO VOTE ON SENATE BILL NO. 173.

Mr. Melson moved to reconsider the vote by which Senate bill No. 173 was postponed indefinitely and asked to have the motion to reconsider spread on the Journal.

Mr. Patman called up the motion to reconsider and moved to table the motion.

The motion to table prevailed by the following vote:

Yeas—55.

Abney.	Howeth.
Arnold.	Hughes.
Avis.	Irwin.
Baker of Orange.	Jacks.
Barker.	Jones.
Bobbitt.	Kemble.
Carpenter	Lackey.
of Matagorda.	Looney.
Chitwood.	McDonald.
Collins.	McNatt.
Culp.	Martin.
Davis.	Mathes.
DeBerry.	Morgan
Dodd.	of Robertson.
Duffey.	Patman.
Dunn.	Patterson.
Durham.	Perdue.
Edwards.	Potter.
Fields.	Price.
Fugler.	Purl.
Gipson.	Quaid.
Green.	Rice.
Henderson	Robinson.
of Marion.	Rogers.
Henderson	Russell
of McLennan.	of Callahan.

Simpson.  
Smith.  
Sparkman.  
Stewart.  
of Edwards.  
Stewart of Reeves.

Stiernberg.  
Thompson.  
Thrasher.  
Turner.  
Young.

Nays—41.

Amsler.	Jennings.
Atkinson.	Laird.
Baker of Milam.	Lamb.
Barrett.	Lane.
Beasley.	LeSturgeon.
Bell.	McDaniel.
Bonham.	Moore.
Burmeister.	Russell of Trinity.
Cable.	Sackett.
Carpenter	Sanford.
of Dallas.	Satterwhite.
Carter of Hays.	Stell.
Cowen.	Stewart of Jasper.
Crawford.	Stroder.
Dielmann.	Sweet.
Dinkle.	Teer.
Downs.	Wallace.
Driggers.	Wells.
Dunlap.	Wessels.
Hardin of Erath.	Wilson.
Harris.	Winfree.

Present—Not Voting.

Mr. Speaker.	Finlay.
Baldwin.	

Absent.

Bird.	Maxwell.
Blount.	Melson.
Brady.	Merritt.
Bryant.	Miller.
Carson.	Montgomery.
Coffee.	Morgan
Covey.	of Liberty.
Davenport.	Pate.
Faubion.	Pinkston.
Greer.	Pool.
Hardin	Pope.
of Kaufman.	Quinn.
Harrington.	Rountree.
Hendricks.	Rowland.
Houston.	Shearer.
Hull.	Shires.
LeMaster.	Stevens.
Loftin.	Storey.
Lewis.	Vaughan.
McBride.	Westbrook.
McFarlane.	Wilmans.
McKean.	

Absent—Excused.

Carter of Coke.	Merriman.
Frnka.	Strickland.
Johnson.	Williamson.
Lusk.	

#### ADJOURNMENT.

Mr. Patman moved that the House adjourn until 10 o'clock a. m. tomorrow.



Mr. Lane moved that the House recess to 8 o'clock p. m. today.

Mr. Dodd moved that the House adjourn until 9 o'clock a. m. tomorrow.

The motion of Mr. Patman prevailed and the House, accordingly, at 5:15 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

## APPENDIX

### STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

School Districts—House bill No. 693.

Eleemosynary Institutions—Senate bill No. 321.

State Affairs—Senate bills Nos. 287, 350.

Common Carriers—House concurrent resolution No. 29, Senate bill No. 370.

Education—Senate bill No. 257, House bill No. 677.

Constitutional Amendments—Senate joint resolutions Nos. 20, 11.

Roads, Bridges and Ferries—Senate bill No. 405.

Conservation and Reclamation—House bill No. 694.

The following committees have filed unfavorable reports on bills, as follows:

School Districts—House bill No. 687.

Stock and Stock Raising—Senate bill No. 310.

### REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, March 8, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. J. R. No. 16, Proposing an amendment to Article 8 of the Constitution of the State of Texas, which relates to taxation and revenues, by adding thereto a new section to be known as Section 9a, directing the Legislature to provide for the construction, operation and maintenance, under State control, of a system of public highways; authorizing the Legislature to provide for the issuance of bonds of the State or other forms of indebtedness for the construction of a State system of public highways, and to provide for the payment of said bonds; providing for an election for the ratification of the amendment herein proposed,

and making an appropriation to defray the expenses of said election,

And find the same correctly engrossed.  
DINKLE, Chairman.

Committee Room,

Austin, Texas, March 8, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 286, A bill to be entitled "An Act making an emergency appropriation for the Adjutant General of this State, made necessary by emergencies arising in declaring martial law and administering the Open Port Law in this State, and declaring an emergency,"

And find the same correctly engrossed.  
DINKLE, Chairman.

Committee Room,

Austin, Texas, March 8, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 685, A bill to be entitled "An Act amending Chapter 64 of the General Laws of the Thirty-fourth Legislature, passed at its Regular Session, fixing the time for holding court in the Twenty-second Judicial District, and changing the time of holding the district courts in Austin, Hays and Caldwell counties, and providing an extra term of court each year for the counties of Hays and Caldwell; to repeal all laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.  
DINKLE, Chairman.

Committee Room,

Austin, Texas, March 8, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 661, A bill to be entitled "An Act to amend Section 8 of Chapter 39, General Laws of the Thirty-fourth Legislature, pages 78 to 81, creating the county court of Bexar county for criminal cases; defining its jurisdiction; providing for the payment of a special judge by the commissioners court out of the treasury of said county, and limiting the time of service of such special judge to not more than forty-five days in any one

year; and providing further that any excess over and above forty-five days to be deducted from the salary of the regular judge of said court,"

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,  
Austin, Texas, March 8, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. J. R. No. 25, Proposing amendments to Sections 5 and 21 and 22 and 23 of Article 4, and Section 24 of Article 3 of the Constitution of the State of Texas, and fixing a time for the election to be held on such amendments,

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,  
Austin, Texas, March 8, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 237, A bill to be entitled "An Act to amend Article 6755, Title 116, of the Revised Civil Statutes of Texas, as amended by act of the Regular Session of the Thirty-sixth Legislature, approved March 31, 1919, and adding to said title Article 6766b and 6766c; providing for the appointment of additional ranger companies and increasing the membership of the headquarters company; providing for the appointment and commission of bona fide inspectors of State-wide live stock associations as rangers; providing for the appointment of an Assistant Attorney General to act as legal adviser to the Adjutant General; appropriating funds to meet the additional expense of such increase in the ranger force, and declaring an emergency,"

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,  
Austin, Texas, March 8, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 690, A bill to be entitled "An Act to provide for the appointment of a commission to revise and digest the

General Laws of Texas; defining their powers and duties, and fixing the compensation of said commission; directing the commission to embody the revision in their report in the form of bills for adoption by the Legislature; authorizing the publication of the bills, and making appropriation for the purposes defined in this act, and declaring an emergency,"

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,  
Austin, Texas, March 8, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 682, A bill to be entitled "An Act creating the Baird Independent School District in Callahan county,"

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,  
Austin, Texas, March 8, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 691, A bill to be entitled "An Act to amend Chapter 61 of the Special Laws of the Thirty-seventh Legislature entitled 'An Act to amend House bill No. 602, Chapter 21, page 79 of the Local and Special Laws of the Thirty-fifth Legislature, passed at its Regular Session, approved February 23, 1917, creating the Buna Independent School District, so as to correct the field notes in said act; and providing for the Buna Independent School District, known as Common School District No. 13, in Jasper county, Texas, and defining its boundaries; and to provide for the creating of trustees thereof and authorizing the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees plenary powers, and providing authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same, and to levy a tax therefor, and to pay current expenses for a board of equalization and prescribing the duty and authority of said board, and further prescribing the duty and authority of the board of trustees, declaring valid a maintenance tax here-

tofore voted, and repealing all laws in conflict herewith in so far as they conflict with this act,' so as to strike out the words 'and freeholders' from Section 6 thereof, repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,  
Austin, Texas, March 8, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 232, A bill to be entitled "An Act to amend Chapter 141, Acts of the Regular Session of the Thirty-fifth Legislature, so as to prohibit commissioners courts and supervisors of levee improvement districts from letting any contract calling for or requiring the expenditure of two thousand dollars (\$2000) or more without first submitting same to competitive bids and publishing notice of the proposed letting of such contract; providing that such requirement may be waived in case of public calamity; requiring all contracts for more than five hundred dollars (\$500) and less than two thousand dollars (\$2000) to be let on competitive bids; providing that contracts made in violation of this act shall not be enforced and may be enjoined, and declaring an emergency,"

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,  
Austin, Texas, March 8, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 188, A bill to be entitled "An Act to establish a system of public roads and bridges for Tarrant county, and to empower the commissioners court thereof to provide rules and regulations therefor, and a system for the construction of such roads and bridges, the maintenance and repair thereof, and to condemn private property for such purposes; to constitute each county commissioner ex-officio commissioner of the public roads and bridges of his precinct, and to prescribe the powers and duties of the county commissioners; to authorize and regulate the issuance and sale

of bonds under this act, and to provide other forms of indebtedness, and for the levy of taxes for such purposes, and to allow the issuance of bonds for the purpose of funding or refunding any bonded or other indebtedness heretofore or hereafter incurred by said county; to regulate the expenditure of moneys arising from the sale of such bonds, and from the levy of taxes for road and bridge purposes; to designate and define certain cardinal roads in the county; to provide for the selection of a county engineer, and for the employment of a consulting engineer; to employ special counsel for the county; to empower the commissioners court to make such contracts with respect to the construction, maintenance or repair of roads and bridges that may be necessary, and to employ the convicts of said roads, and to provide for the compensation of the commissioners for the performance of their duties under the terms of this act; and repealing all laws in conflict with the provisions hereof, and declaring an emergency,"

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,  
Austin, Texas, March 8, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. J. R. No. 24, Amending Article 16 of the Constitution of Texas, by adding thereto a new section designated as Section 61, giving to the Legislature power and authority to provide pensions for firemen and policemen; providing for submission of resolution to voters of Texas, and making appropriation therefor,"

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,  
Austin, Texas, March 8, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 678, A bill to be entitled "An Act to provide for an efficient system of road maintenance in Upshur county; prescribing the classification of all public roads in said county; defining the powers and duties of the county commissioners and county attorney of

such county; the jurisdiction of the county court in relation thereto; defining the qualifications and duties of road overseers and declaring who shall be subject to road duty or service in said county; providing punishment and procedure for non-performance of certain duties prescribed herein by said officers, and declaring an emergency,"

And find the same correctly engrossed.

DINKLE, Chairman.

#### REPORTS OF COMMITTEE ON ENROLLED BILLS.

Committee Room.

Austin, Texas, March 9, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 60, "An Act to create and provide for a Department of Insurance for the State of Texas, separate and distinct from the Department of Banking of this State; vesting therein and giving to it jurisdiction of all matters, things, powers and functions of the Department of Insurance and Banking, except such as may have been divested therefrom and vested in the Department of Banking; and giving to it all the powers, jurisdiction, things and functions now vested in the State Insurance Commission; providing that the present two commissioners shall continue to hold their respective positions until their successors are appointed and qualified as now provided by law; and providing for the appointment, term of office, name, compensation, and prescribing the qualifications, powers and duties of the Commissioner of Insurance, the purposes of this act being to consolidate the State Insurance Commission with the department herein created, without changing the personnel, powers, jurisdiction and functions, duties and rights of said commission, other than as herein expressly provided; to require of the Commissioner of Insurance and the two commissioners an oath of office and a bond for the faithful discharge of their duties; the department hereby created shall be known as the Department of Insurance, and shall be composed of three members; the Commissioner of Insurance herein provided for shall be the chairman and presiding officer of said commission; each of the other two members of said commission shall be designated and known as commissioners; and giving to the commission all powers to name and appoint all necessary actuaries, stenographers, clerks

and other employees, and to discharge same when necessary, requisite to the efficient carrying out of the provisions of this act; providing that the salaries of the commission and of all employees in said department, and all the expenses of same, shall be paid out of the general revenues of this State, as is now provided by law; providing that the members of the commission and the employees of said department shall be placed and held under a rule of civil service as near as possible; providing that no commissioner or employee shall be interested in any insurance company except as an insured; providing that if any section of this act is declared unconstitutional it shall not invalidate the remainder thereof; declaring the purposes of this act, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 10:15 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 9, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 353, "An Act to prescribe a closed season for the hunting of blue quail or scaled quail in Lampasas county, Texas, and to provide adequate penalties for the unlawful taking, slaughter, storage or possession of same; to repeal all laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 10:15 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 9, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 491, "An Act creating and establishing the Spanish Fort Independent School District in Montague county, Texas; defining its boundaries; providing for a board of trustees in said district; continuing in office the board of trustees as heretofore elected in said district until the expiration of their respective terms of office; vesting title of said board of trustees to all school property in said district; conferring upon

said district and its board of trustees all of the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the boards of trustees thereof; providing for a seal, and for the election of a secretary, treasurer and the assessor and collector of taxes; for a board of equalization, and prescribing its duties, etc., and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 10:15 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 9, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 510, "An Act to increase and fix the salary of the superintendent of public instruction of Dallas county; providing for office expenses; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 10:15 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 9, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 539, "An Act to increase the civil jurisdiction of the county court of Hockley county and the unorganized county of Cochran, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 10:15 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 9, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 546, "An Act to validate Simmons Common School District No. 7, in Grayson county, Texas, as re-defined and re-established by order of

the county school trustees of Grayson county, Texas, on February 12, 1923, and Common County Line School District No. 8 as re-defined and re-established by an order of the county school trustees of Grayson county, Texas, on February 12, 1923, and by an order of the county school trustees of Collin county, Texas, on February 13, 1923,"

Have carefully compared same and find it correctly enrolled, and have this day, at 10:15 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 9, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 549, "An Act creating the Thrall Independent School District in the county of Williamson, State of Texas; defining its boundaries; providing for a board of trustees to control and manage the schools of the said district; divesting Common School District No. 21 of Williamson county, Texas, of the control of the free schools of the said district, and of the title, management and control of all property held, owned and controlled for public free school purposes therein, and vesting the same in the said Thrall Independent School District and in the board of trustees thereof; providing for the assessing and collecting of taxes; providing for the issuing of bonds; providing for the election of a treasurer for the said school district; providing for the election of an assessor and collector, for the erection of buildings, and equipping same for school purposes; and assuming the payment of the outstanding bonded indebtedness of Common School District No. 21 of Williamson county, Texas, and creating an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 10:15 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 9, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 560, "An Act creating and incorporating Midway Independent School District in Lynn county, Texas,

out of territory now comprising Common School District No. 9 of Lynn county as heretofore created by the county board of school trustees of said county; defining boundary thereof; providing for a board of trustees, their election, terms of office, qualification, powers, duties and authority; authorizing the board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds; providing for an assessor and collector of taxes and a board of equalization; providing that said Midway Independent School District shall assume and discharge any and all indebtedness constituting valid and binding obligations of said Common School District No. 9 of Lynn county; validating and continuing in force any and all taxes heretofore voted and now in force in such common school district; providing that title to any and all property of said common school district shall vest in the trustees of independent school district hereby created; providing for filling vacancies on the board of trustees; providing for a seal for said district; providing that the board of trustees shall be governed by the general laws of Texas in all matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any section or provision of this act shall not invalidate any remaining provision thereof, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 10:15 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 9, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 565, "An Act to reorganize the Thirtieth and Sixteenth Judicial Districts, and to create the Ninety-seventh Judicial District of the State of Texas, and for the appointment of the district judge for said Ninety-seventh Judicial District; providing for holding the district courts and terms in said Thirtieth, Sixteenth and Ninety-seventh Judicial Districts, respectively; providing that all process and writs heretofore issued, and that all recognizances and bonds heretofore made and executed and returnable to existing terms of district

courts in the counties composing said districts, together with jurors heretofore selected, are valid and returnable to the first term of such court after this act takes effect; providing that the county attorneys of the respective counties within said Ninety-seventh Judicial District shall perform the duties of district attorneys in their counties as well as the duties now performed by them, and providing fees of office for such county attorneys; providing for the transfer of cases from the Thirtieth Judicial District to the Ninety-seventh Judicial District, and from the Sixteenth Judicial District to the Ninety-seventh Judicial District; providing for the jurisdiction of said district courts, and providing for the continuation of the existing district courts in said counties in session when this act takes effect to the end of their terms; repealing all conflicting laws, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 10:15 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 9, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 609, "An Act to amend Section 2, Chapter 22, Acts of the Thirtieth Legislature, Regular Session, re-defining the boundaries of the San Saba Independent School District, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 10:15 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 9, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 570, "An Act changing and enlarging the boundaries of the Elmo Independent School District in Kaufman county, and providing for an election to adjust the territory thus added, to taxes which may be now levied upon the property of said Elmo Independent School District and for an assumption by said Elmo Independent School Dis-

trict of the pro rata of taxes to which the territory thus added to said Elmo Independent School District by this act may be subject by reason of any outstanding bond issue or bond issues previously voted by any school district or school districts of which such added territory may have heretofore formed part; defining the powers of said Elmo Independent School District, and declaring an emergency."

Have carefully compared same and find it correctly enrolled, and have this day, at 10:15 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 9, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 608, "An Act to create the Carta Valley Independent School District in Edwards and Val Verde counties, Texas; providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing that the board of trustees of the existing school in said district shall continue to act as such until their successors are elected in accordance with the general laws of Texas, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 10:15 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 9, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 620, "An Act creating Pontotoc Common County Line School District No. 31 of Mason, San Saba and Llano counties, and placing the same under the management and control of Llano county; defining the powers of said district; providing for election of the first board of trustees of said district; providing for an election to determine whether or not a special school for maintenance purposes shall be levied upon the property contained in said dis-

trict, and to determine whether the several outstanding obligations which may exist against the several territories and the portion of territory of other districts embraced in this district shall be assumed in whole for such indebtedness and pro rata thereof; making alternative provision for the protection of all such indebtedness; abolishing existing school districts wholly included within its boundaries, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 10:15 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

#### FORTY-THIRD DAY.

(Saturday, March 10, 1923.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	Downs.
Amsler.	Driggers.
Arnold.	Duffey.
Atkinson.	Dunlap.
Avis.	Dunn.
Baker of Milam.	Durham.
Baker of Orange.	Edwards.
Baldwin.	Faubion.
Barker.	Fields.
Barrett.	Finlay.
Beasley.	Gipson.
Bell.	Green.
Bird.	Greer.
Blount.	Hardin of Erath.
Bobbitt.	Hardin
Bonham.	of Kaufman.
Bryant.	Harris.
Burmeister.	Henderson
Cable.	of Marion.
Carpenter	Henderson
of Dallas.	of McLennan.
Carpenter	Hendricks.
of Matagorda.	Howeth.
Carson.	Hughes.
Carter of Hays.	Hull.
Chitwood.	Irwin.
Coffee.	Jacks.
Collins.	Jennings.
Covey.	Jones.
Cowen.	Kemble.
Crawford.	Lackey.
Culp.	Laird.
Davenport.	Lamb.
Davis.	Lane.
DeBerry.	LeMaster.
Dielmann.	LeSturgeon.
Dinkle.	Lewis.
Dodd.	Loftin.